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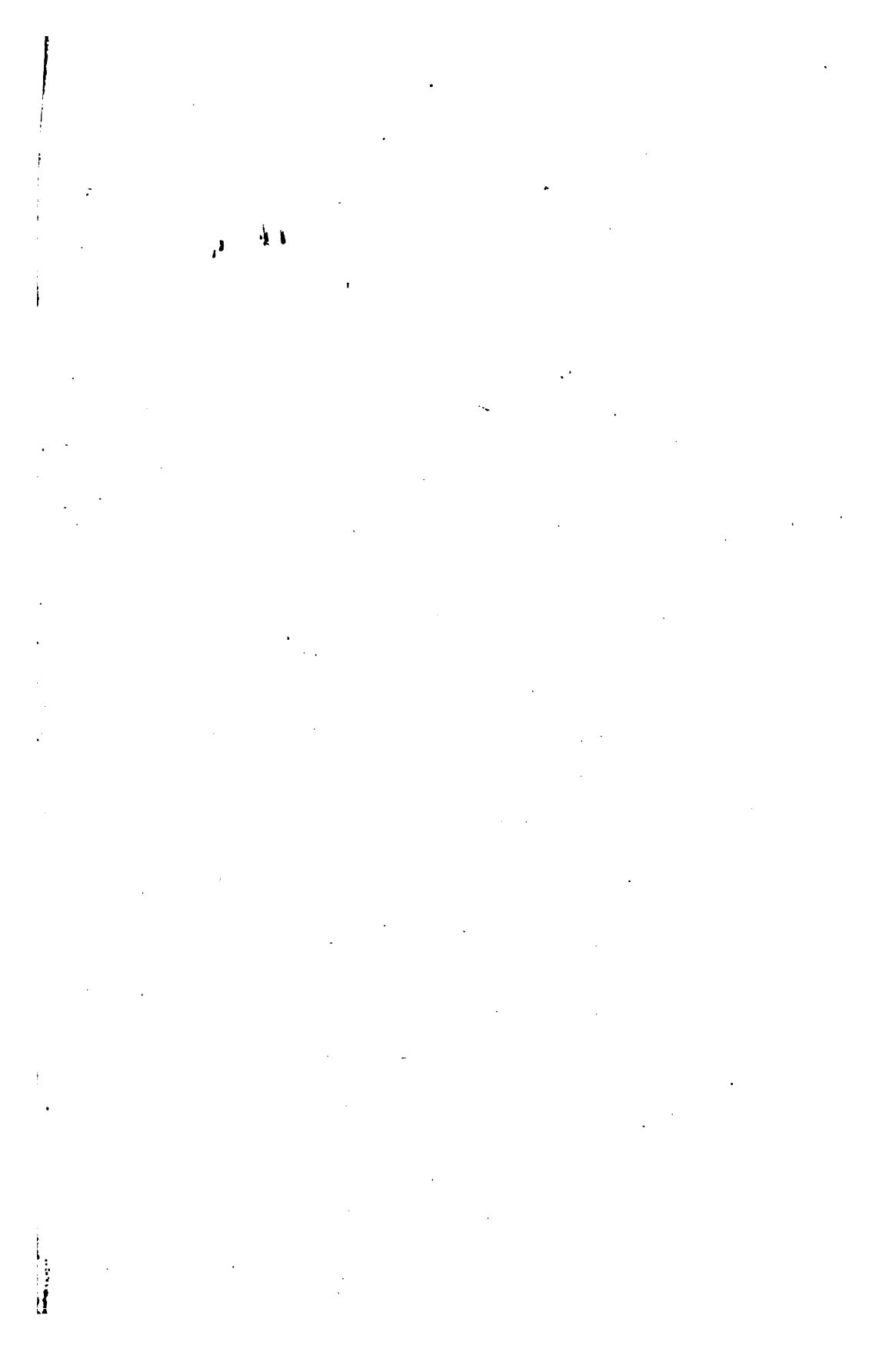
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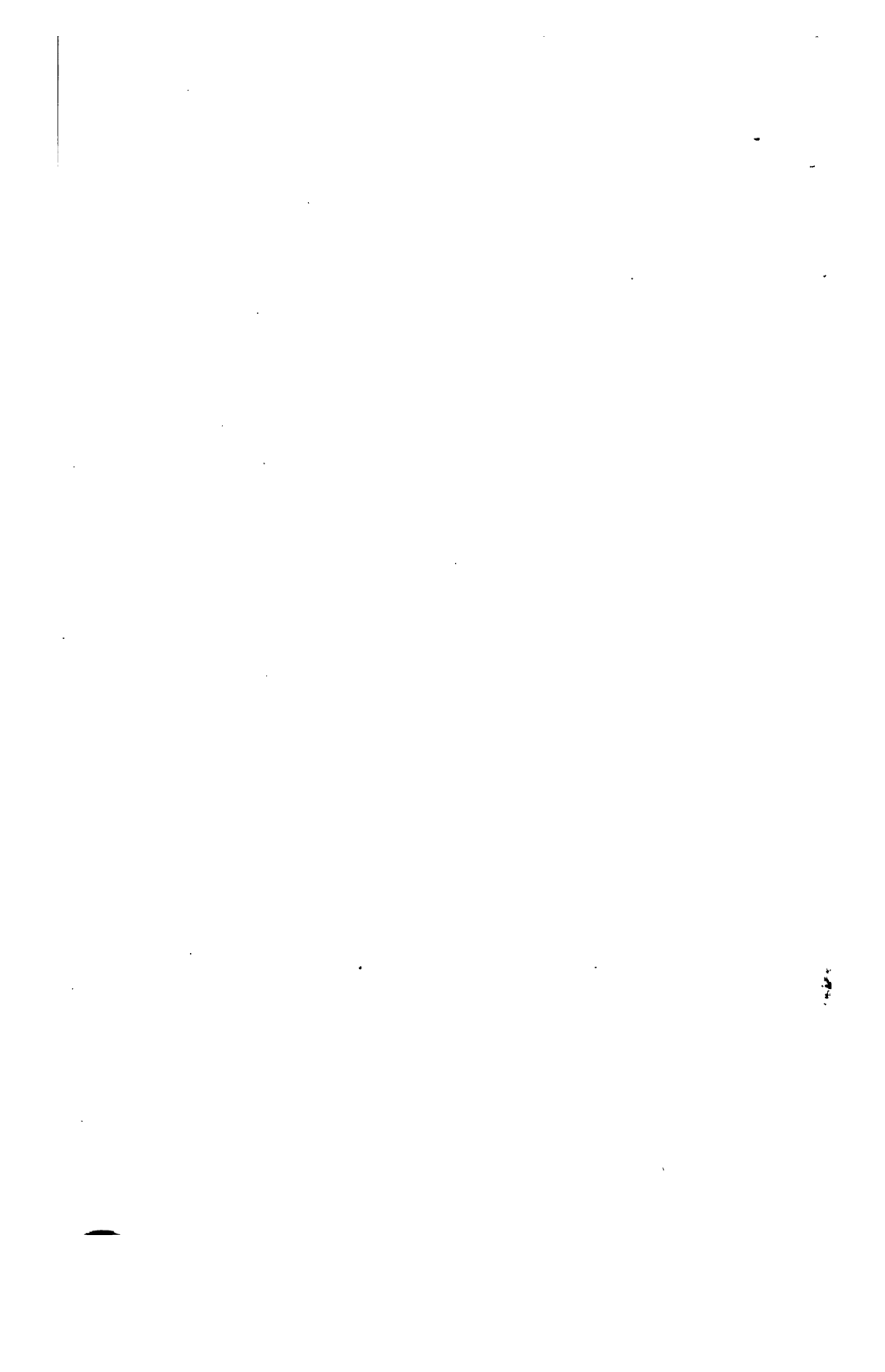
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FROM THE
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UNITED STATES PUBLIC HEALTH SERVICE
RUPERT BLUE, SURGEON GENERAL

STATE LAWS AND REGULATIONS
PERTAINING TO PUBLIC HEALTH

ADOPTED DURING THE YEAR 1913

REPRINT No. 264
FROM THE
PUBLIC HEALTH REPORTS
1913 AND 1914



WASHINGTON
GOVERNMENT PRINTING OFFICE
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From

United States Government.

UNITED STATES PUBLIC HEALTH SERVICE.

RUPERT BLUE, *Surgeon General.*

DIVISION OF SANITARY REPORTS AND STATISTICS.

Assistant Surgeon General JOHN W. TRASK, *Chief of Division.*

State and municipal health departments and reference libraries can obtain copies of this publication by addressing the Surgeon General, United States Public Health Service, Washington.

The PUBLIC HEALTH REPORTS are issued weekly by the United States Public Health Service through its Division of Sanitary Reports and Statistics pursuant to acts of Congress approved February 15, 1893, and August 14, 1912.

They contain: (1) Current information of the prevalence and geographic distribution of preventable diseases in the United States in so far as data are obtainable, and of cholera, plague, yellow fever, and smallpox throughout the world. (2) Copies of the laws and regulations being enacted or adopted by State and municipal authorities for the safeguarding of the public health. (3) Articles relating to the cause, prevention, or control of disease. (4) Other pertinent information regarding sanitation and the conservation of the public health.

The reports are intended primarily for distribution to health officers, members of boards or departments of health, and those directly or indirectly engaged in or connected with public health or sanitary work. Articles also of interest to others are either reprinted from the PUBLIC HEALTH REPORTS or issued as supplements, and in these forms are available for general distribution to those desiring them.

JAN 22 1917

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INTRODUCTION.

Reprint No. 200, from the Public Health Reports, contains State laws and regulations pertaining to the public health adopted from July 1, 1911, to December 31, 1912, inclusive. The present volume includes laws and regulations of the same class adopted during the calendar year 1913.

The year 1913 was noteworthy for the enactment of important health legislation. Twenty-seven States, in addition to Alaska and the District of Columbia, enacted laws or adopted regulations relating to the notification of cases of disease. Some of these laws and regulations were amendments of existing legislation, but the fact that more than half of the States in the Union deemed it advisable to adopt new laws or regulations relating to morbidity reports or to amend existing provisions on this subject indicates at least that there is a wide-spread endeavor to secure the data which will make possible the control of preventable diseases.



STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH

ADOPTED DURING THE YEAR 1913.

ALASKA.

Communicable Diseases—Notification, Quarantine, Placarding, Etc. (Chap. 42, Act Apr. 28, 1913.)

SEC. 6. *Communicable diseases defined.*—For the purpose of this act persons or articles that have been infected with or exposed to the contagion or infection of plague, cholera, smallpox, yellow fever, typhus fever, leprosy, typhoid fever, scarlet fever, measles, diphtheria, infantile paralysis, cerebrospinal meningitis, erysipelas, whooping cough, glanders, and mumps shall be considered as capable of conveying contagious or infectious disease, and shall be subject to this act as hereinafter provided. All cases of pulmonary tuberculosis and trachoma, where the usual precautions to prevent the spread of the disease to others are willfully neglected and where other persons are liable to become infected on account of this negligence shall also be considered as capable of conveying contagious or infectious diseases.

SEC. 7. *Communicable diseases, notification of.*—Whenever any physician or nurse is called to treat any person suffering with any of the diseases mentioned in section 6 of this act, he or she shall isolate the case and immediately notify the local board of health.

SEC. 8. *Notification by the laity.*—Whenever any person knows or has reason to believe that any member of his family or household (boarder, roomer, or visitor) has any disease mentioned in section 6 of this act, he shall within 24 hours, if no physician is available, give notice thereof to the local board of health in the health district in which he resides. Such notice shall be given either verbally to one of the members of said board, or by a communication addressed to the board of health and duly mailed within the time specified.

SEC. 9. *Quarantine.*—The board of health upon receipt of the report of the existence of any of the diseases mentioned in section 6 of this act shall immediately investigate the case and if such disease shall isolate the patient, and if necessary, shall quarantine the house, rooms, or premises and take any other precautions needed to prevent the spread of the disease.

SEC. 10. *Placarding.*—Whenever a house, apartment, room, or premises are placed under quarantine, a placard shall be posted in a conspicuous place, giving the name of the disease and also containing the following quarantine order: "All persons are strictly forbidden to enter or leave these premises or to remove this notice without permission or orders from the board of health."

SEC. 11. *Disinfection.*—Upon the death, recovery, or removal of the person sick with any disease mentioned in section six of this act, the room in which said person was confined and such rooms as, in the opinion of the board of health, have been contaminated shall be cleansed and disinfected under the supervision of the board of health, the placard removed, and the quarantine released. The isolation, disinfection, and other preventive measures shall be performed as nearly as practicable

according to methods indorsed and practiced by the United States Public Health Service as described in Public Health Bulletin No. 42, entitled, "Disinfectants, their use and application in the prevention of communicable diseases."

SEC. 12. *Diseases to be recorded.*—Every physician in the Territory of Alaska who shall prescribe for, or attend any person having smallpox, plague, yellow fever, cholera, typhus fever, leprosy, typhoid fever, scarlet fever, measles, chicken pox, diphtheria, infantile paralysis, cerebrospinal meningitis, erysipelas, whooping cough, glanders, mumps, tuberculosis in any form, or trachoma, shall, within 24 hours after first discovering the existence of such disease, make a report thereon in writing, to the assistant commissioner of health of the division in which the case appears, upon a blank form to be furnished by the commissioner of health in accordance with subdivision 6, of section 3 of this act; which report shall give the name, age, nativity, residence, date of attack, color, and the sex of the person having such disease, together with the character of the disease.

SEC. 13. *Communicable diseases in schools, etc.*—No child or person infected with any of the diseases in section 6, or any person residing in the same house in which any person may be located who is infected with any of the aforesaid diseases unless permitted by the health officer, shall be permitted to attend any public, private, parochial, Sunday, or other school, church, factory, or any other place of assembly in the Territory; and health officers and persons in charge of such schools, etc., are hereby required to exclude any and all children and persons from such places; such exclusion shall continue until complete recovery of the person afflicted or until the health officer decides that the danger of infecting others no longer exists.

SEC. 14. *Penalty.*—Any person who interferes with a health officer in the performance of his duties, or any person who breaks quarantine or removes any placard without the permission of the board of health, and any person who knowingly violates any of the provisions of this act or any regulations or orders established or made by authority of this act, unless it can be demonstrated to the satisfaction of the board of health that such compliance was an impossibility, shall upon conviction thereof be punished for each offense by a fine of not more than \$100, or by imprisonment not more than 50 days, or by both fine and imprisonment, and it is hereby made the duty of all United States marshals and their deputies as ex officio constables to assist in the enforcement of this act.

SEC. 15. *Expenses.*—Any necessary expenses incurred by any health officer or local board of health in the enforcement of this act outside of incorporated towns shall be paid, upon approval by the district judge, from funds derived from fines and forfeitures in the Territory of Alaska.

Health Authorities, Territorial and Local—Powers and Duties. (Chap. 42, Act Apr. 28, 1913.)

SECTION 1. *Commissioner of health.*—For the proper enforcement of this act, and until other provisions are made by the legislature, the governor of Alaska shall be ex officio commissioner of health of the Territory.

SEC. 2. *Assistant commissioners of health.*—The commissioner of health shall designate or appoint as his accredited representative one physician in each judicial division as assistant commissioner of health. Said assistant commissioner of health shall be a physician in good standing and licensed to practice medicine in the Territory of Alaska; he shall serve until his successor has been appointed.

SEC. 3. *Powers and duties of the commissioner.*—The commissioner of health shall have general supervision of the interests of the health and life of the citizens of the Territory. He shall have power: (1) To make and enforce such quarantine regulations as seem best for the preservation of the public health, and for the prevention and against the spread of contagious and infectious diseases. (2) To establish quarantine and isolate any person affected with any one of the diseases mentioned in

section 6 of this act. (3) To remove, or cause to be removed, any dead, decaying, or putrid body, rubbish, garbage, or other substance that may endanger the health of persons. (4) To disinfect houses, rooms, property, places, or localities, persons, and other things, whenever in his judgment such action shall be deemed necessary to protect or preserve the public health; and he may destroy or cause to be destroyed bedding, carpets, household goods, furnishings, and other material when in his judgment such are an imminent danger to the public health. (5) He shall when necessary advise with and consult officers of the Government on matters pertaining to sanitation and hygiene. (6) He shall prepare forms of returns, and such instructions as may be necessary, and shall supply the same to assistant commissioners of health, boards of health, physicians, and such officials as may be necessary, in order to obtain accurate statistics of the occurrence of communicable diseases in the Territory as specified in section 12 of this act; such information shall be compiled, tabulated, and published every quarter.

SEC. 4. Duties and powers of assistant commissioners of health.—Assistant commissioners of health shall have power and authority within their respective divisions, subject to the supervising control of the commissioner of health, to do and perform all the things mentioned in section 3, subdivisions 1, 2, 3, and 4 of this act. (2) They shall have supervision over the local boards of health in their respective divisions. (3) They shall forward to the commissioner of health monthly reports of the communicable diseases occurring in their respective divisions as reported to them by physicians and others in accordance with section 12 of this act.

SEC. 5. Local boards of health.—Every school district outside of incorporated towns in the Territory shall, for the purpose of the act, become a health district, and in every such health district there shall be a board of health composed of the president of the school board and two citizens of said district, to be selected by the school board: *Provided*, That at least one member of the health board to be thus elected shall, whenever practicable, be a licensed physician.

2. The foregoing paragraph of this section shall apply and be in effect in each incorporated town in the Territory unless such town shall otherwise provide for the establishment and maintenance of a local board of health or a proper health officer.

3. That in any native village or community composed largely of natives, where the formation of a board of health, as above defined, is impracticable, any representative of the United States Bureau of Education shall have the authority and power granted to the local boards of health.

4. That the local boards of health outside of incorporated towns and any representative of the United States Bureau of Education acting in the capacity of health officer, as provided in the third paragraph of this section, shall be subordinate to and under the supervision of the assistant commissioner of health of their respective divisions, and shall, within their respective health districts, have all the powers mentioned in subdivisions 1, 2, 3, and 4 of section 3 of this act.

Births, Deaths, and Marriages, Reporting of—Penalty for Violation. (Chap. 35, Act Apr. 25, 1913.)

SECTION 1. That a record shall be made and preserved of all births, deaths, and marriages that shall hereafter occur within the Territory of Alaska. The ex officio secretary of Alaska shall be the Territorial registrar of vital statistics, and as such registrar shall cause to be printed blank certificates of births, deaths, and marriages, together with all the necessary indexes and circulars of instruction, and shall furnish the same to the clerk of the court in each of the judicial divisions of Alaska, to the United States commissioners in each of the commissioners' precincts, to physicians, clergymen, and undertakers, and to other persons who may request the same, in such numbers as may be necessary to carry out the provisions of this act. And the Terri-

torial registrar shall exercise general supervision over the registration of births, deaths, and marriages throughout the Territory of Alaska, and shall be responsible for the uniform and effective enforcement of the law. The said registrar shall carefully preserve and index the returns of all births, deaths, and marriages, and prepare and publish such statistical reports and statements as may be deemed necessary, and shall furnish such transcripts as may be required by the United States Bureau of the Census, and also certified copies of records to individuals upon request, the fee for which certified copies in each case shall be \$1, which shall be retained by the clerk issuing the said certified copies to defray the cost of same. All records made under the provisions of this act shall be prima facie evidence in all courts and for all purposes of ascertaining the facts purporting to be set forth therein.

SEC. 2. That the certificate and record of birth shall be of the standard form approved by the United States Bureau of the Census, and shall contain a statement of the place of birth; date of birth; full name of child (the given name to be added by a supplementary statement if the child is not named at the time of making the return); sex, whether a plural birth (twin, triplet, etc.); legitimacy or illegitimacy; full name of father (except for illegitimate children); residence, color, or race, birthplace, age, and occupation of father; maiden name, residence, color, or race, birthplace, age, and occupation of mother; number of child of mother, and number of children living; whether born at full term and stillborn or born alive; and the physician or midwife in attendance upon the birth, or, in the absence of a physician or midwife, the parent, householder, or owner of the premises, manager or superintendent of institution, captain of vessel, or other competent person having knowledge or cognizance of the birth, shall fill out on blanks furnished for the purpose, or in the absence of such blanks, on paper written in ink with a pen or typewriter, the certificate and record required by the provisions of the section and shall sign the same with his or her signature and forward it within 10 days after such birth to the United States commissioner for the precinct in which the birth occurs: *Provided*, That when it is impossible to secure any of the information required upon the blank the item may be followed by the word "unknown."

SEC. 3. That the certificate and record of death shall be on the standard form approved by the United States Bureau of the Census and shall contain a statement of the place of death; full name of decedent; sex; color or race; whether single, married, widowed, or divorced; date of birth; age; occupation; birthplace; name of father; birthplace of father; maiden name of mother; birthplace of mother; signature and address of informant; official signature of United States commissioner, with date on which the certificate was filed, and registry number; date of death; medical certificate of cause of death; length of residence at place of death, in hospital or institution, or in the Territory; former or usual residence; place and date of burial or removal; and the signature of the undertaker or person acting as such. Also, for the purpose of identification, the following additional information shall be entered on the back of the certificate of death as fully as the information can be obtained and the circumstances may render it necessary: Height; weight; complexion, color of hair; if married, full name and residence of the surviving husband or wife; names and addresses of living children; names and addresses of other relatives; whether insured and if so, in what company or companies, and for what amount or amounts; names and addresses of two or more persons who were acquainted with the decedent during his lifetime; and other facts that may be of assistance in identifying the deceased: *Provided*, That when it is impossible to secure any of the information required upon the blank the item may be followed by the word "unknown."

SEC. 4. That it shall be the duty of the physician, nurse, or other person in charge of or who shall attend or assist in the last illness of a deceased person, or who shall have knowledge of the death of any person within the Territory of Alaska, to prepare and file with the United States commissioner of the precinct in which the death

occurred a certificate of death, which certificate shall comply with the requirements of section 3 of this act; and in case the dead body of a human being is found or a person is killed within the Territory of Alaska it shall be the duty of the person finding such body, or of any person who has any information that such body has been found, at once to make a full report thereof to the United States commissioner residing in the precinct where the body was found or the person was killed; and if the circumstances are such that the said United States commissioner does not deem it necessary to hold an inquest over the remains it shall be the duty of any person, upon request from the said United States commissioner, to make out and furnish to him a certificate of death, as required by section 3 of this act; and any person who shall fail or refuse to make out and file with the United States commissioner a certificate of death as required by this act shall be deemed guilty of a misdemeanor.

SEC. 5. That it shall be the duty of every undertaker, sexton, or other person having charge of or in any way assisting or directing the burial of any corpse to see that the certificate of death is made and filed with the United States commissioner for the precinct in which the death occurred or the body was found before interring the remains. And it shall be the duty of every transportation company, freighter, or any person or persons, or company, before receiving any corpse to be shipped or removed for burial from the place where deceased died, or the body of deceased was found, before removing such corpse or receiving the same for such removal, to see that the proper certificate of death has been made and filed, as required by law, and in case of failure so to do the person or persons so offending shall be guilty of a misdemeanor: *Provided*, That when a death occurs in an incorporated town the undertaker or other person in charge of the interment or removal of the body of the decedent shall be solely responsible for the filing of the certificate of death, containing the medical certificate of the cause of death, signed by the attending physician, with the United States commissioner for the precinct in which the death occurs, who upon such filing shall issue a permit for the burial or removal of the body of the decedent; and no dead body of a person whose death occurs in an incorporated town shall be interred or removed without such burial or removal permit showing that the death has been properly registered.

SEC. 6. That in case any such person shall mysteriously disappear within the Territory of Alaska, or shall leave one locality to go to another within the Territory and should fail within a reasonable time to reach the locality for which he or she started, or a person traveling in company with other person or persons shall separate from those with whom he or she is traveling within said Territory, or a person traveling alone shall mysteriously disappear, it shall be the duty of such traveling companion or companions, road-house keepers, or any other persons having knowledge of such mysterious disappearance or separation from companions to notify in writing the United States commissioner for the precinct in which the disappearance or separation took place or is supposed to have taken place of the fact, stating all the known circumstances thereof. And in case of failure so to do such person so failing to notify the United States commissioner, as above required, shall be deemed guilty of a misdemeanor. And it shall be the duty of the United States commissioner to file all such notifications in alphabetical order in his office and to notify the United States deputy marshal within his precinct, or in the nearest precinct where there is a resident United States deputy marshal, to make such investigation regarding each case as the circumstances may seem to warrant; and in case the circumstances are such as to cause reasonable grounds for suspicion that a murder has been committed or that a person has been foully dealt with such United States deputy marshal shall at once lay all the facts before the United States attorney in his division, or the assistant United States attorney living nearest the place where he resides, of the fact; and it shall be the duty of such United States district attorney or assistant United States attorney to assist and advise such United States deputy marshal in his investigation.

SEC. 7. That it shall be the duty of every person authorized to perform marriages within the Territory of Alaska to make out a marriage certificate in triplicate upon blanks which shall be furnished him by the Territorial registrar of vital statistics upon application therefor. The said certificate shall conform to the present requirements of the law of the Territory of Alaska as to what a marriage certificate shall contain, except that in addition to the present requirements of a marriage certificate said certificate shall state in what commissioner's precinct the marriage was performed and that said certificate will be filed for record and recorded in said precinct within 30 days after said marriage is performed, and the person performing such marriage shall deliver one copy of said marriage certificate to the husband, one copy to the wife, and within 30 days from the date of the marriage shall file the third copy with the United States commissioner of the precinct in which the marriage was performed. And the person solemnizing the marriage shall collect from the contracting parties the sum of \$1, which said amount he shall pay to the United States commissioner at the time he files said certificate of marriage. And in case he shall fail or refuse to collect said sum of \$1, as above required, he shall pay said amount to said United States commissioner out of his own funds. And any person failing or refusing to comply with the provisions of this section, or with any part thereof shall be deemed guilty of a misdemeanor.

SEC. 8. That it shall be the duty of every United States commissioner within the Territory of Alaska to record every birth certificate, death certificate, and marriage certificate presented to him for record where the birth, death, or marriage took place, or the body of a dead person found in his precinct; and said United States commissioner shall receive as compensation for his services in recording each of said certificates \$1 for each certificate of birth, \$1 for each certificate of death, and \$1 for each certificate of marriage; that the fees for recording the certificate of births and deaths shall be included by the United States commissioner in his quarterly account of claims, and shall be paid by the United States in the same manner and from the same funds as claims for fees of justices of the peace in criminal cases are paid. The United States commissioner of each precinct shall on or before the tenth day of each month transmit to the Territorial registrar of vital statistics all original certificates of births, deaths, and marriages filed with him for the preceding calendar month, and he shall at the time transmit to the clerk of the district court for the division within which his precinct is situated a certified copy of each certificate of birth, death, and marriage, the originals of which were transmitted to the Territorial registrar of vital statistics.

SEC. 9. That all expenses for stationery and printing connected with the recording of vital statistics, as required by the provisions of this act, shall be paid as other similar expenses are paid for recording offices.

SEC. 10. That any person found guilty of violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be fined not less than \$5 or more than \$100, or imprisonment in jail not less than 5 days or more than 30 days.

SEC. 11. It shall be the duty, and hereby is made the duty, of all recorders in the Territory of Alaska, and of the clerks of all municipalities in the Territory, and all ministers of the Gospel, practicing physicians and undertakers in the Territory and others who may have such data, to compile all records in their respective offices and transmit the same to the Territorial registrar to be by him recorded in the records provided for under this act.

Nuisances—Pollution of Waters, Disposal of Refuse. (Act Apr. 30, 1913.)

SECTION 1. That section 160, chapter 10, of the act of Congress approved March 3, 1899, entitled "An act to define and punish crimes in the District of Alaska and to provide a penalty therefor," be amended to read as follows:

"SEC. 160. That any person, firm, or corporation who puts any dead-animal carcass, or part thereof, excrement, putrid, nauseous, noisome, decaying, deleterious, or

offensive substance into, or in any other manner not herein named, befouls, pollutes, or impairs the quality of any spring, brook, creek, branch, well, or pond of water which is or may be used for domestic purposes, and any person, firm, or corporation who shall place or deposit upon any lot, street, beach, premises, or public highway any garbage, offal, dead animals, or any other matter or things, which would be obnoxious, or cause the spread of disease or in any way endanger the health of the community; and any person, firm, or corporation who shall allow to be placed or deposited upon any premises owned by or under his or its control any garbage, offal, dead animals, or any other matter or thing which would be obnoxious or offensive to the public or which would produce, aggravate, or cause the spread of disease or in any way endanger the health of the community shall be considered as creating or maintaining a nuisance; and any person, firm, or corporation who shall neglect or refuse to abate such nuisance upon order of any health officer shall be guilty of a misdemeanor and punished as provided in section 161 of this chapter, and in addition to such punishment the court or justice shall assess judgment against the defendant for the expenses of abating such nuisance, which judgment shall be enforced in the same manner as an execution in a civil action."

ARIZONA.

Morbidity Reports—Control of Communicable Diseases. (Act May 7, 1913.)

SEC. 26. Whenever it shall come to the knowledge of any physician or other person that a contagious epidemic or infectious disease exists within the jurisdiction of any local board he shall immediately report to such board in writing the name and place of residence, if known, of every person afflicted with such disease, and if he is the attending physician of such person he shall report not less than twice in each week the condition of each person so afflicted and the state of such disease.

SEC. 27. It shall be the duty of each practicing physician in this State to report in writing to the local board of health the death of each of his patients who shall have died within the jurisdiction of such board, of any contagious, infectious, or epidemic disease. Such report shall be made within 24 hours after such death, and shall state the specific name and character of such disease.

SEC. 28. Each keeper of any private house, boarding house, lodging house, inn, or hotel shall report in writing to the local board of health within whose jurisdiction the same may occur, each case of contagious, infectious, or epidemic disease which may occur in his house, inn, or hotel; such report shall be made within 24 hours after the existence of such disease shall have become known to such person and shall state the name of each person afflicted with such disease and the nature thereof.

SEC. 29. No person shall, without a permit from the local or State board of health, carry or cause to be removed from without this State, or from one building to another within this State, or from or to any car or vessel, any person afflicted with any contagious, infectious, or epidemic disease, or the body of any person who dies of such disease.

SEC. 30. Each parent or guardian having the care, custody, or control of any minor or other person shall cause such minor or other person to be vaccinated.

SEC. 31. No principal, superintendent, or teacher of any school and no parent or guardian of any minor child shall permit any child having scarlet fever, diphtheria, smallpox, whooping cough, measles, or any other dangerous, infectious, or contagious disease, or any child residing in any house in which such disease exists, or has recently existed, to attend any public or private school until the local board of health shall have given permission therefor.

SEC. 32. No person shall allow to be unburied the body of any human being for a longer time than four days, or, when death has been caused by infectious or contagious disease, for a longer time than 24 hours after the death of such person, without a permit from the local board of health, which permit shall specify the length of time during which said body may be unburied. In all cases where death has been caused by an infectious or contagious disease, the body shall, if directed by said board, be immediately disinfected as may be directed by it; if the body remains unburied for more than 24 hours, it shall be immediately inclosed in a tightly sealed metallic coffin, which shall not thereafter be opened, and the funeral of such person shall be strictly private.

In the removal of such body for burial or otherwise, only such hearses or other vehicles shall be employed as may be authorized by said board, and no undertaker or other person shall bury or prepare for burial the body of any human being without a certificate signed by the attending physician or the coroner, which certificate shall state the name, age, sex, place of abode, and date of death of such deceased person,

the name and duration of the disease of which such person died, and whether or not the disease is contagious, and such certificate shall, after the burial of such body, be filed with the local board of health, and whenever any such dead body shall be presented to any common carrier within the State for transportation by such carrier it shall be accompanied by a duplicate of such certificate signed by such attending physician or coroner, and no common carrier shall receive any such body for transportation unless such certificate shall state the disease of which such a person died is not contagious, which duplicate shall be securely attached to and remain upon the outside of the coffin or other receptacle containing such dead body.

SEC. 33. It shall be the duty of each local board of health when it shall come to its knowledge that a case of smallpox, scarlet fever, diphtheria, or other infectious or contagious disease exists within its jurisdiction, immediately to examine into the facts of the case, and if such disease appears to be of the character herein specified such board shall adopt such quarantine and sanitary measures as in its judgment tend to prevent the spread of such disease, and may immediately cause any person infected with such disease to be removed to a separate house, if, in the opinion of the health officer or superintendent of public health, such person can be so removed without danger to his health, and, if such infected person can not be removed without danger to his health the local board shall make such quarantine regulations as is deemed proper with reference to the house within which such infected person is, and in such cases may cause the persons in the neighborhood to be removed, and take such other measures as it deems necessary for the safety of the inhabitants, and shall immediately notify the State board of health of the existence and nature of such disease, and of the measures adopted by it with reference thereto.

SEC. 34. Each local board of health may provide such temporary hospital or place of reception for persons afflicted with infectious or contagious diseases as it judges best for their accommodation and safety of the inhabitants, and all such hospitals and all private houses or other places in which exists any infectious or contagious diseases shall, during the existence of such disease, be under the control and subject to the regulations of the local board of health and all the inmates of such house or other place during the existence of such disease therein must conform to the regulations and obey the instructions of such local board with reference thereto.

SEC. 35. Any local board of health may cause to be destroyed any bed or bedding, clothing, carpets, or other articles which have been exposed to infection from such infectious or contagious disease and may allow reasonable compensation for the same, or may provide a proper place with all necessary apparatus and attendants for the disinfection of such articles and cause all such articles to be disinfected thereby, and may provide a carriage for the conveyance of such articles or of persons suffering from such contagious or infectious disease.

SEC. 36. Local boards of health may employ such persons as may be necessary to carry into effect the provisions of this chapter and the regulations established by them, and such physicians as they deem necessary, and provide such necessities of life as in their judgment shall be needed for the maintenance, welfare, and comfort of persons afflicted with contagious or infectious diseases. All expenses incurred by any local board of health in carrying into effect the provisions of this chapter, and in providing for the care and maintenance of such sick persons, and all expenses incurred under any of the provisions of this section shall be audited and allowed by the board incurring the same. Such expenses, in case of city board of health, shall be certified to the city auditor and paid out of the general funds of the city, and, in case of county boards of health, shall be certified to the county board of supervisors and paid out of the general fund of the county. All expenses incurred by such boards of health for the care, medical attendance, or support of any such sick person shall be a charge upon such person and upon the person legally chargeable with the support of such person (except where persons are unable to pay, then such expenses shall be chargeable to

the county in which such person resides) and may be collected by suit in the name of the county or city which shall have incurred such expense; provided, that if a physician is called at the instance of such local board of health to attend a person infected with a contagious or infectious disease, it shall be at the expense of such city or county.

SEC. 37. Any person who willfully secrets himself or others known to have a contagious or infectious disease, or any health officer, superintendent of public health, or any member of any local board of health who shall neglect or refuse to perform any of the duties required to be performed by him under the provisions of this chapter, and any person who fails to comply with or violates any of the provisions of this chapter, or neglects or refuses to conform to any rule, regulations, or measures adopted by the local board of health within whose jurisdiction he shall at the time be, and which shall have been published or shall have come to his knowledge, or refuses or neglects promptly to obey any orders, directions, or instructions given to him by such board of health, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$50, or by imprisonment in the county jail not exceeding 30 days, or by both, and any physician convicted under this chapter shall have his license revoked.

SEC. 38. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 39. This act shall take effect and be in force from and after the 1st day of October, 1913.

State Board of Health—Organization, Powers, and Duties—Superintendent of Public Health. (Act May 7, 1913.)

CHAPTER I.—SECTION 1. There is hereby established a State board of health, composed of a president, a vice president, and a superintendent of public health. The governor shall be ex officio president and the attorney general shall be ex officio vice president of such board. The governor shall nominate and by and with the advice and consent of the senate appoint a superintendent of public health, who shall be a practicing physician of the State. The superintendent thus appointed shall hold his office for two years. The several persons thus appointed shall hold their offices for two years from the first Tuesday in April succeeding their appointment, and until their successors are appointed and qualified.

SEC. 2. The president of the board shall preside at the meetings thereof, and the vice president shall perform the duties thereof in his absence. The superintendent of public health shall be secretary of said board. He shall keep a record of the proceedings of the State board of health and of his own acts as such superintendent, and he shall perform such other duties as are prescribed by this chapter or which may be prescribed by the State board of health. The records kept by the superintendent shall be at all times open to the inspection of the public.

SEC. 3. The several persons composing the State board of health shall meet as often as once every six months at such place in the State as they may appoint.

SEC. 4. The board shall have power, and it shall be its duty—

1. To fix a time and place of the meetings of the board subject to the provisions of the preceding section.

2. To make rules and regulations for the government of the board, its officers, and its meetings.

3. To make and enforce all needful rules and regulations for the prevention and cure and to prevent the spread of any contagious, infectious, or malarial diseases among persons and domestic animals.

4. To establish quarantine and isolate any person affected with any contagious or infectious or epidemic and endemic disease.

5. To isolate, kill, or remove any animal affected with contagious or infectious disease when necessary to protect public health.

6. To remove or cause to be removed any dead, decaying, or putrid body or any decayed, putrid, or other substance that may endanger the health of persons or domestic animals.

7. To condemn or cause to be destroyed any impure or diseased article of food that may be offered for sale.

8. To superintend the several boards of health in the cities and towns and the county boards of health of the several counties.

9. To empower and direct the superintendent of public health to do or cause to be done any and all of the things mentioned in subdivisions 4, 5, 6, 7, and 8 of this chapter.

10. To make such rules and regulations as it may deem necessary to govern the preparation of dead bodies for transportation and to govern what classes of dead bodies may be transported and the manner thereof.

SEC. 5. The president and vice president of the board shall receive no compensation, but they shall be paid 10 cents for every mile actually and necessarily traveled by them in the performance of their official duties and other necessary expenses incurred by them.

SEC. 6. The superintendent of public health shall be paid a yearly salary of \$1,000 in equal semimonthly installments. He shall also be paid 10 cents per mile for every mile actually and necessarily traveled in the performance of his official duties, and such other sum or sums as he may necessarily pay or become liable to pay for hotel or other incidental expenses, for the official books, records, and papers kept by him, and for the printing of his reports and such circulars and blanks as may be required for the proper conduct of the business of his office, not to exceed in the aggregate the sum of \$300. The accounts of the superintendent for his mileage and other expenses of his office shall be audited by the State board of health, and the same, together with his salary, shall be paid out of the State treasury.

County Boards of Health—Organization, Powers, and Duties—County Superintendent of Health. (Act May 7, 1913.)

SEC. 7. There are hereby established county boards of health composed of a president, vice president, and a superintendent. The chairman of the board of supervisors in each county shall be ex officio president of the county board and the county attorney of such county shall be ex officio vice president of such board. The board of supervisors shall appoint a superintendent of public health for the county, who shall be a practicing physician within the county, and the superintendent thus appointed shall hold his office for two years and until his successor is elected and qualified.

SEC. 8. The president of each county board of health shall preside at the meetings thereof, and in his absence the vice president shall perform the duties of the president. The county superintendent of health shall keep a record of all the proceedings of the board and of his official acts, and he shall, at the end of every month, make a full report in writing to the superintendent of public health of the proceedings of the county board of health and of his official acts, and shall, whenever the health of persons is in danger and when any contagious and infectious disease occurs in his county among persons, immediately report the same to the superintendent of public health.

SEC. 9. The several county boards of health shall meet at the county seat of their respective counties at such times within 30 days after the appointment of the county superintendent of health as he may designate. Notice of the time and place of such meeting shall be made by him, given to the other members of the county board at least five days prior to such meeting, and thereafter the board shall meet at the county seat as often as once in every three months.

SEC. 10. The several county boards of health shall have power within their respective counties, outside of the corporate limits of cities having a city board of health,

subject to the supervisory control of the State board of health and the superintendent of public health—

1. To fix a time and place of the meetings of the board, subject to the provisions of the preceding section.

2. To make rules and regulations for the government of the board, its officers, and its meetings.

3. To make and enforce all needful rules and regulations for the prevention and cure and to prevent the spread of any contagious, infectious, or malarial diseases among persons and domestic animals.

4. To establish quarantine and isolate any person affected with any contagious or infectious or epidemic and endemic disease.

5. To isolate, kill, or remove any animal affected with contagious or infectious disease when necessary to protect public health.

6. To remove or cause to be removed any dead, decaying, or putrid body, or any decayed, putrid, or other substance that may endanger the health of persons or domestic animals.

7. To condemn or cause to be destroyed any impure or diseased article of food that may be offered for sale.

8. To empower and direct the superintendent of public health to do or cause to be done any and all of the things mentioned in subdivisions 4, 5, 6, and 7 of this chapter.

9. To make such rules and regulations as it may deem necessary to govern the preparation of dead bodies for transportation and to govern what classes of dead bodies may be transported and the manner thereof.

SEC. 11. The president and vice president of the board shall receive no compensation, but they shall be paid 10 cents for every mile actually and necessarily traveled by them in the performance of their official duties and other necessary expenses incurred by them. All expenses actually and necessarily incurred by the county board of health in carrying out the provisions of this chapter shall be audited by the board and certified to the county supervisors and shall be paid the same as other county expenses are paid.

SEC. 12. The county superintendent of health shall have charge of and superintend, subject to the approval of the board of which he is a member, and supervisory control of the State board of health and the superintendent of public health, the establishment of quarantine and the isolation of persons afflicted with any contagious, infectious, epidemic, or endemic disease within this State.

SEC. 13. The president and vice president of the board shall receive no compensation for the performance of their official duties, but shall receive 10 cents for every mile actually and necessarily traveled in the discharge of such duties. The county superintendent of health shall receive such compensation as the boards of supervisors may fix: *Provided*, That the county superintendent of health shall receive not to exceed the sum of \$300 per annum and not to exceed \$10 per day when actually and necessarily engaged, and 10 cents for each mile actually and necessarily traveled in the performance of his duties, and he shall also receive such other sum as he may necessarily pay or become liable to pay in carrying out and performing the various duties imposed upon him under the provisions of this section or by the county board of health: *Provided, however*, That the board of supervisors shall not be obliged to pay out any sums for carrying out and performing the various duties of the county superintendent of health unless the same is first directed to be done by the board of health, and that all such accounts for services, mileage, and other expenses shall be audited by the board and certified to the board of county supervisors and paid as any other county expenses are paid.

SEC. 14. The superintendent of public health shall, on the 1st day of December of each even-numbered year, make a full report to the governor, which report shall show all that has been done by the State board of health and by such superintendent during

the two years preceding the making of such report, the number of cases treated by him in each county by the superintendent, the character and extent during such time of all contagious and infectious diseases that have been reported to him, all expenditures of the State board, and in each of the organized counties by the county board, and such recommendations as he may deem advisable for the better protection of the public health and the prevention and cure of contagious and infectious diseases of persons.

SEC. 15. In case a vacancy occurs in the office of vice president or superintendent, such vacancy shall be filled by appointment by the governor, and the person so appointed shall hold office for the unexpired term. In case a vacancy occurs in the office of vice president or superintendent of health in any county board of health, the president of such county board of health shall appoint some suitable person to fill such vacancy, and the person so appointed shall hold office until a successor to such officer has been appointed by the board of county supervisors.

SEC. 16. Nothing contained in this article shall in any manner affect any board of health heretofore established, or that may hereafter be established in any city or incorporated town: *Provided, however,* That all such boards of health shall be under the superintending control of the State board.

City Boards of Health—Organization, Powers, and Duties—Health Officer. (Act May 7, 1913.)

SEC. 17. There is hereby established in each incorporated city in this State a board of health, which shall be constituted as follows: The mayor of such city shall, at the first meeting of the city council in April in each year, appoint two members of the city council who, together with the city engineer and the health officer as hereinafter provided, shall constitute a board of health and shall have and exercise the powers conferred upon such board by law and by the ordinances of such city.

SEC. 18. At the first meeting of the city council in April in each odd-numbered year there shall be appointed by the mayor and confirmed by the council one health officer, who shall hold his office until his successor is appointed and qualified. He shall be a practicing physician and shall perform such duties as may be devolved upon him by law or by ordinances of such city. Before entering upon the duties of his office he shall take the usual oath of office and give a bond to be approved by the city council in the sum of \$1,000, conditioned for the faithful performance of his duties, and shall receive such compensation as the city council shall determine.

SEC. 19. Each city board of health shall perform the duties and exercise the powers herein provided within the limits of the city for which it is established. Each county board of health and city board of health shall be known as the local board of health.

Nuisances—Abatement of. (Act May 7, 1913.)

SEC. 20. Each local board of health, within its jurisdiction, shall examine into all nuisances, sources of filth, and causes of sickness and make such regulations regarding the same as it may judge necessary for the public health and safety of the inhabitants, and any person who shall violate any published order or regulation made by any board of health shall be guilty of a misdemeanor and punished by a fine of not exceeding \$100, or by imprisonment in the county jail not exceeding 30 days or both.

SEC. 21. Notice shall be given by each local board of health of all general orders and regulations made by them by publishing the same in some newspaper, if there be one published within the jurisdiction of such board; if there be none, then by posting such orders and regulations in five public places therein, and such publication of such orders and regulations shall be deemed a legal notice to all persons.

SEC. 22. Whenever any nuisance, source of filth, or cause of sickness is found on private property the local board of health shall order the owner or occupant thereof,

at his own expense, to remove the same within 24 hours, and such order may be given to such owner or occupant personally or left at his usual place of abode.

SEC. 23. Whenever such owner or occupant shall fail to comply with the order of such board, it shall cause such nuisance, source of filth, or cause of sickness to be removed and all expenses incurred thereby shall be paid by such owner or occupant, or by such other person as has caused or permitted the same.

SEC. 24. Whenever any local board shall deem it necessary for the preservation of the health of the inhabitants within its jurisdiction to enter any building or other structure within such jurisdiction for the purpose of examining into and destroying, removing, or preventing any nuisance, source of filth, or cause of sickness and shall be refused entrance, any member of the board may make complaint under oath to a justice of the peace within the jurisdiction of the board, stating the facts in the case so far as he has knowledge thereof.

SEC. 25. Such justice shall thereupon issue a warrant directed to the sheriff or other peace officer, commanding him to take sufficient aid, and accompanied by at least one member of the board of health, between the hours of sunrise and sunset, to have such nuisance, source of filth, and cause of sickness destroyed, removed, or prevented under the direction of such member of the board of health as accompanies him.

ARKANSAS.

Board of Health—Organization and Duties. (Act 96, Feb. 25, 1913.)

SECTION 1. Within 30 days after the passage of this act it shall be the duty of the governor to appoint a State board of health, consisting of seven persons, one of whom shall be chosen from each congressional district in this State. In the event that the said congressional districts be increased or decreased, that the membership of said board shall increase or decrease in accordance therewith. Each member of the State board of health shall be a graduate of a legally constituted and reputable medical college and of at least seven years' experience in the practice of his profession in this State, and shall be of good professional standing.

SEC. 2. Each of the members of the State board of health so appointed shall take the oath of office prescribed by the constitution for State officers, and be commissioned by the governor in the same manner as other State officials. The members of the said board shall hold office for four years: *Provided*, That the first members so appointed shall serve as follows: Two until January 1, 1915; two until January 1, 1916, and three until January 1, 1917: *Provided, however*, That the Secretary shall hold office for four years from appointment. The members first appointed shall determine among themselves their respective terms of office, they shall elect one of their members as president, and they shall also elect a secretary, who may or may not be a member of the board, and who shall possess all the qualifications and have all the powers of the members of the board. The said secretary shall be known as the State health officer, and shall be the executive officer of the board, and perform such duties as may be prescribed by the board or required by this act.

SEC. 3. The Arkansas State Board of Health shall meet at least once a year, or as often as may be necessary in the interest of the public health, upon the call of the president or a majority of the members of the board.

SEC. 4. The Arkansas State Board of Health may adopt by-laws regulating the transaction of its business and provide therein for the appointment of committees to whom it may delegate authority and power for all duties committed to them, under the direction and subject to the control of the State board of health, and may also adopt and use an official seal. A majority of the members of the board shall constitute a quorum for the transaction of business and perform such duties as the board may prescribe.

SEC. 5. The State board of health shall have general supervision and control of all matters pertaining to the health of the citizens of this State. It shall make a study of the causes and prevention of infectious, contagious, and communicable diseases, and, except as otherwise provided for in this act, shall have direction and control of all matters of quarantine regulations and enforcement, and shall have full power and authority to prevent the entrance of such diseases from points without the State, and shall have direction and control over all sanitary and quarantine measures for dealing with all such diseases within the State, and to suppress the same and prevent their spread.

SEC. 6. Power is hereby conferred on the Arkansas State Board of Health to make all necessary and reasonable rules and regulations for the protection of the public health, and for the general amelioration of the sanitary and hygienic conditions within the State, for the suppression and prevention of infectious, contagious, and communicable diseases, and for the proper enforcement of quarantine, isolation, and control of such diseases: *Provided, however*, That where a patient can be treated with

reasonable safety to the public health, he shall not be removed from his home without his consent, or the consent of the parents or guardian in case of a minor, and said rules and regulations, when so made, shall be printed in pamphlet form, with such numbers of copies as may be necessary for the distribution for information of health, bodies, health and sanitary officers, and the public generally. But the State board of health shall not regulate the practice of medicine or healing, nor interfere with the right of any citizen to employ the practitioner of his choice.

SEC. 7. That the State board of health shall establish a bureau of vital statistics and provide an adequate system for the registration of births and deaths, by formulating and promulgating rules and regulations prescribing the method and form of making such registration.

SEC. 8. That the secretary of the State board of health shall be the State registrar of vital statistics, and it shall be his duty to carry into effect the rules, regulations, and orders of the State board of health. The board shall provide suitable apartments, properly equipped with fireproof vaults and filing cases, for the permanent preservation of all official records.

SEC. 9. That for the purposes of this act the State registrar shall divide the State into registration districts, defining and designating the boundaries thereof and appointing local registrars in each district. Each registration district shall have at least one county therein.

SEC. 10. That each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State registrar, as required by the rules and regulations. And in case no births were registered during any month the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if promptly made in accordance with the rules and regulations. All amounts payable to a registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon certification by the State registrar. And the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein.

SEC. 11. That the State registrar shall upon request furnish any applicant a certified copy of the record of any birth or death registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the State registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made the State registrar shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn the same over to the State treasurer each month.

SEC. 12. That any person, firm, or corporation who shall violate any rule, regulation, or order of the State board of health relative to recording, reporting, or filing information for the bureau of vital statistics, or who shall willfully neglect or refuse to perform any necessary and reasonable duties imposed upon them by said orders, or who shall furnish false information for the purpose of making incorrect records for said bureau, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$100, or be imprisoned in the county jail not exceeding 60 days, or suffer both fine and imprisonment, in the discretion of the court.

SEC. 13. *Be it further enacted*, That the office of county physician and county boards of health shall be abolished within the several counties of this State, and that instead

the office of county health officer is hereby created in each county within this State: *Provided, however*, That county physicians now in office shall serve as county health officers until the expiration of their present term. Within 30 days after the passage of this act the State board of health, with the approval of the county judge, shall appoint for each county in this State a county health officer, who shall serve for a term of two years. The county health officer shall be a graduate of a reputable medical college, and shall have at least three years' experience in the practice of medicine in this State. Each county health officer shall perform such duties as have heretofore been required of county physicians with relation to caring for the prisoners in county jails, and in the caring for the inmates of county poor farms, hospitals, discharging the duties of county quarantine, and such other duties as have been lawfully required of the county physician, and shall perform such duties as may be prescribed for him under the rules, regulations, and requirements of the Arkansas State Board of Health. He shall also be required to aid and assist the State board of health in all matters of local quarantine, inspection, prevention and suppression of disease, vital and mortuary statistics, and general sanitation within his county, and make such reports to the State board of health as shall be demanded of him. The county health officer shall receive for his services an annual salary to be fixed by the county court, which may be payable monthly out of the county treasury. Upon the failure of the county health officer to perform the duties of his office as herein required, he may be removed by the State board of health.

Sec. 14. There is hereby established in each city of the first class and each city of the second class in this State a city board of health, which shall be constituted as follows: The mayor of such city shall at the first meeting of the city council after assuming the duties of his office appoint not less than five persons, two of whom shall be physicians, who shall be graduates of reputable medical colleges and of good professional standing, who shall constitute a city board of health, and shall have and exercise the powers conferred upon such boards by law and by the ordinances of such city; and the mayor of such city shall be ex officio a member of said board.

Sec. 15. The offices of city physician for the several incorporated cities and towns within this State, and boards of health in incorporated towns, are hereby abolished, and instead created the office of city health officer: *Provided, however*, That city physicians now in office shall serve as city health officers until the expiration of their present term.

Sec. 16. The office of city health officer shall be filled by a competent physician, legally qualified to practice medicine within this State, a graduate of a reputable medical college, and of reputable professional standing.

Sec. 17. It is hereby made the duty of the mayor of each incorporated city and town within this State to elect a qualified person to the office of city health officer, said appointment to be approved by a majority of the votes of the city council. The city health officer, after appointment, shall take and subscribe to the constitutional oath of office, and shall file a copy of his appointment with the Arkansas State Board of Health, and shall not be deemed to be legally qualified until said copies shall have been so filed.

Sec. 18. In case the authorities hereinbefore mentioned shall fail, neglect, or refuse to fill the office of city health officer as in this act provided, then the Arkansas State Board of Health shall have the power to appoint such city health officer, to hold office until the local authorities shall fill such office, first after giving 10 days' notice in writing to such authority of the desire for such appointment.

Sec. 19. Each city health officer shall perform such duties as may now or hereafter be required by the city councils and ordinances of city physicians and such duties as may be required of him by general law and city ordinances with regard to the general health and sanitation of towns and cities, and perform such other duties as shall be legally required of him by the mayor, councils, or the ordinances of his city or town.

He shall, in addition thereto, discharge and perform such duties as may be prescribed for him under the directions, rules, regulations, and requirements of the State board of health. He shall be required to aid and assist the State board of health in all matters of quarantine, vital and mortuary statistics, inspection, disease prevention and suppression, and sanitation within his jurisdiction. He shall at all times report to the State board of health in such manner and form as shall be prescribed by said board of health the presence of all contagious, infectious, and dangerous epidemic diseases within his jurisdiction, and shall make such other and further reports in such manner and form and at such times as said State board of health shall direct, touching all such matters as may be proper for the State board of health to direct, and he shall aid said State board of health at all times in the enforcement of proper rules, regulations, and requirements in the enforcement of all sanitary laws, quarantine regulations, and vital statistics collections, and perform such other duties as said State board of health shall direct.

SEC. 20. The compensation of city health officers shall be fixed by the mayor and council of the respective towns and cities within this State.

SEC. 21. The State board of health shall establish, equip, and maintain a hygienic laboratory, which shall be used for making analyses of foods and drugs, for the purpose of enforcing pure food and drug laws, and for making investigations of cases and suspected cases of malaria, diphtheria, typhoid fever, tuberculosis, epidemic cerebrospinal meningitis, glanders, hookworm disease, rabies, and other infectious, contagious, and communicable diseases. All investigations conducted in the said laboratory shall be free to the people of this State. The said hygienic laboratory shall be established and maintained at the medical department of the University of Arkansas, in connection with the regular department of chemistry and the department of bacteriology, and said hygienic laboratory of the State board of health shall be under the direct supervision of the secretary of the State board of health or his authorized assistants.

SEC. 22. All expenses legally and necessary incurred for the work of protecting the public health outside of cities and towns shall be paid by the county in which the expense is incurred; such claims shall be allowed by the county court when proved as other claims against a county are required by law to be proved. From the judgment of the county court upon any such claim the claimant or any taxpayer of the county may appeal to the circuit court, and thence to the supreme court, but every claim must be approved by the county health officer before allowance, and the expense legally incurred for the protection of public health inside corporate limits of cities and towns shall be paid out of the treasury of the cities and towns in which the work is done. *Provided*, That all of their expenditures made by representatives of the State board of health and chargeable under the provisions of this act to any county, city, or town, shall be made only with the advice and consent of the county judge of any said county, or of the mayor and town council in any incorporated town.

SEC. 23. The Arkansas State Board of Health is hereby authorized to publish for general distribution such reports and such other matter as it may deem adapted to promote the interest of the public health of this State.

SEC. 24. The office of the State board of health shall be in the capitol, at Little Rock, and the said board shall be furnished with all necessary equipment and supplies, including laboratory supplies, books, stationery, blanks, furniture, etc., as other officers, necessary for carrying on the work of the board, and to be provided in the capitol building or other suitable building to be designated by the governor.

SEC. 25. The State board of health may appoint and employ an assistant State health officer, who shall be a graduate of a reputable medical college, of good professional standing, and who shall have had five years' experience in the practice of medicine in this State, whose duty it shall be to assist the secretary of the board in a general supervision in the affairs of his office, and in the enforcement of quarantine and sanitation throughout the State.

SEC. 26. The State board of health is hereby authorized to employ such clerical assistants as may be required to faithfully and efficiently discharge all the duties pertaining to the business of the board.

SEC. 27. The secretary of the State board of health shall receive annually a salary of \$1,800, and the assistant State health officer shall receive annually a salary of \$1,500. The other members of the State board shall receive no salary, but each of said members shall be allowed for each and every day he shall be in attendance upon the meetings of the board the sum of \$10, including the time spent in transit, and 3 cents per mile going and coming for actual expenses, to be paid on their vouchers when approved by the secretary of the board by warrant drawn by the auditor against the appropriation provided by law for that purpose. The salaries of clerical and other assistants shall be fixed by the board.

SEC. 28. Every firm, person, or corporation violating any of the provisions of this act, or any of the orders, rules, or regulations made and promulgated in pursuance hereof shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment not exceeding one month, or both.

SEC. 29. It shall be the duty of the Arkansas State Board of Health to make an annual report, through its secretary, in writing, to the governor of this State on or before the 1st day of January of each year, and such report shall include a financial statement covering the expenditures of all funds appropriated for its purposes, and so much of the proceedings of the board and such information concerning vital and mortuary statistics, such knowledge respecting diseases, and such instructions on the subject of sanitation and hygiene as may be thought useful by the board for dissemination among the people, with such suggestions as to legislative action as it may deem necessary.

SEC. 30. All salaries and other expenses provided for by this act not required to be paid by counties, cities, and incorporated towns shall be paid out of the general revenue fund of the State.

SEC. 31. There shall be an annual conference of county health officers and city health officers of this State at such time and place as the State board of health shall designate, at which conference the president or some member of the State board of health shall preside. The several counties, towns, and cities may provide for and pay the necessary expenses of its county health officer or city health officer for attendance upon said conference.

SEC. 32. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 33. Whereas the public peace, health, and safety make it expedient that this act and bill become immediately effective, it shall be in force and effect from and after its passage.

State Board of Health—Appropriation for. (Act 171, Mar. 13, 1913.)

The following appropriations are for two fiscal years, April, 1913, to March, 1915, inclusive:

Salary of the secretary, State board of health.....	\$3,600
Salary of combined bookkeeper and stenographer.....	2,000
Traveling expenses and per diem of the State board of health.....	1,000
Salary, recording clerk, bureau of vital statistics.....	2,400
Salary, second recording clerk.....	1,440
Postage.....	1,000
Expressage and parcel post.....	1,000
Incidentals, including furniture, filing cases, typewriters.....	2,000
Printing all necessary blanks, forms, bulletins, etc.....	2,500
For mailing cases, containers, culture tubes, and apparatus for gathering specimens for examination.....	500
For traveling expenses, secretary, State board of health.....	500

17,940

Local Health Officers—Powers and Duties of. (Reg. Bd. of H., May 16, 1913.¹)

1. The responsibility of placing quarantine or isolation rests solely with the health officer, who must satisfy himself of the existence of the disease in question before enforcing regulations governing the particular disease.

2. Health officers shall keep a record of all transactions with which they are officially concerned. They shall keep a complete record of all cases of communicable diseases reported within their jurisdiction; said record shall include the name of the disease, name of the patient, age, sex, color, address, and location, probable source of infection, measures taken for the prevention and spread, attending physician and nurse, together with the date quarantine or isolation was ordered, date released, date disinfected, name of person who disinfected the premises, termination of the case whether by death or recovery, and such other information as may seem necessary under a heading of "Remarks."

3. Health officers shall conform to the following rules:

(a) Make an annual sanitary survey and maintain a continuous sanitary supervision over the territory within their jurisdiction.

(b) Make a sanitary inspection at least once annually of all school buildings, places of public assemblage, and report thereon to those responsible for the maintenance of such school buildings and places of public assemblage.

(c) Take such steps as may be necessary to secure prompt and full reports by physicians of communicable diseases, and prompt and full registration of births and deaths.

(d) Enforce within their jurisdiction the provisions of the rules and regulations of the State board of health.

(e) Attend the annual conference of sanitary officers called by the State board of health.

4. *Records.*—They shall keep a complete record regarding the sanitary conditions of:

(a) Slaughterhouses, dairies, butcher shops, bakeshops, restaurants, boarding houses, hotels, rooming houses, bottling works, market places, factories, soda fountains, and all other places where food and drinks are sold.

(b) Schools, jails, almshouses, hospitals, and other public buildings and places of amusement.

(c) Stables, lumber camps, and sawmills.

(d) An inspection of all such places shall be made at least once annually and as often as may be deemed necessary.

5. Written notice shall be served on all persons responsible for the conditions found to be unfavorable to the public health and the public comfort, as provided for by regulations governing such places.

6. A reinspection shall be made after three days to see that the changes ordered have been or are being carried out.

7. A summary report giving the number of places of each class inspected and notices served for the correction of public nuisances shall be forwarded to the State health officer on the 5th day of the month for the month preceding.

8. The city health officer, in addition to the duties prescribed for county health officers, shall furnish the State health officer at the end of each month a copy of all new regulations and ordinances which have been adopted for their cities relative to any sanitary measures.

9. City health officers in cities of the first class shall cause an inspection to be made of all public buildings, institutions, and other places mentioned as

¹ These regulations were promulgated by the Arkansas State Board of Health under authority of the act of Feb. 25, 1913. See p. 29.

requiring inspection, to be inspected at least once every two months from November 1 to May 1 and once each month from May 1 to November 1.

10. Health officers should study the causes of excessive morbidity and mortality from any disease within their jurisdiction and endeavor to enlist the cooperation of all organizations and physicians for the improvement of the public health therein, and promote the information of the general public in all matters pertaining to the public health.

Communicable Diseases—Control of. (Reg. Bd. of H., May 16, 1913.)

11. *Notifiable diseases.*—For the purposes of these regulations the following-named diseases are declared to be contagious, infectious, and communicable and dangerous to the public health, and are made notifiable: Asiatic cholera, acute anterior poliomyelitis, epidemic cerebrospinal meningitis, chicken-pox, diphtheria, hookworm disease, leprosy, malaria, measles, ophthalmia neonatorum, pellagra, plague, scarlet fever, smallpox, trachoma, tuberculosis (laryngeal and pulmonary), typhoid fever, typhus fever, whooping cough, yellow fever. Other communicable diseases not named in this list may at any time be declared notifiable as the necessity and public health demand, and regulations for their control shall apply when so ordered by the State board of health.

12. It shall be the duty of every physician in the State of Arkansas to report, as soon as possible, every case of communicable disease declared notifiable which occurs in his practice, or which he may be called upon to attend, to the local city or county health officer having jurisdiction. When there is no physician in attendance upon any case of communicable disease mentioned it shall be the duty of any person having knowledge of the same, by reason of attendance or upon whose premises a case of such disease is suspected to exist, to make a report as specified.

13. Such report shall be made in writing within 12 hours from the time a case is recognized and discovered, and shall contain the following particulars: Name of the disease; name of patient; age; sex; color; residence or location of patient; source of infection (if ascertainable); probable date of onset; what steps have been taken to prevent spread.

14. If the case be one of yellow fever, Asiatic cholera, bubonic plague, or smallpox, notification shall be made without delay to the local city or county health officer in whose jurisdiction such case occurs, and the health officer so notified shall, except for smallpox, notify by telephone or telegraph the State health officer, and for smallpox by first mail.

15. A weekly report of communicable diseases, giving number of cases, color and sex of each, and deaths, for the period ending Saturday of each week, shall be made by local city and county health officers to the State health officer, and where no such diseases have been reported the report shall so state.

16. The State health officer may require special daily reports of new cases and deaths of notifiable diseases occurring each day in any locality. Such report shall be furnished and transmitted by health officers, by mail, telephone, or telegraph, as directed.

17. For uniformity of reports, the manner and form in which permanent records of all reported cases shall be kept by city or county health officers shall conform to the forms required and demanded by the State health officer.

18. Local city or county health officers shall notify the State health officer of any unusual prevalence or epidemic of a disease not mentioned in the list of diseases made notifiable.

19. No person shall interfere with any health authorities having jurisdiction, carry or remove from one building to another, or from one locality to another,

within or without the State, any patient affected with a communicable disease dangerous to the public health.

20. Health officers shall satisfy themselves that all preventive measures prescribed in these regulations for control and prevention of spread of infection are being carried out in each and all cases of communicable diseases reported to them.

21. Whenever a health officer shall know or suspect or be informed of the existence of any communicable disease declared notifiable, and no licensed physician is in attendance, or should a physician in attendance fail or refuse to report such case to the health officer, it shall be the duty of said health officer to investigate such case or cases of alleged communicable diseases and act as required, even when doubt exists, under the rules governing such cases of communicable diseases.

22. Where doubt exists as to the diagnosis, the health officer should enforce quarantine measures for the suspected disease as if it were a communicable disease, and refer the matter to the State officer, who will have an investigation made for final decision.

23. Whenever a case of obscure illness shall be reported to the health officer, which upon investigation presents symptoms of a disease subject to quarantine or isolation, but in which, in the judgment of the health officer, sufficient time has not elapsed to render a positive diagnosis of the disease possible, a temporary quarantine or isolation shall be imposed, which quarantine or isolation shall be in all respects governed by the same rules and regulations as a permanent quarantine or isolation. If the disease proves not to be one of a contagious or infectious nature, the health officer shall then declare the temporary quarantine or isolation terminated.

24. Any person reported suffering with a communicable disease residing in a boarding house, lodging house, hotel, or hospital shall be effectively isolated together with all his attendants, and where these regulations are obeyed the public need not fear transmission of the disease to them. The door of the sick room shall be placarded.

25. No quarantine regulations of commerce or travel shall be instituted or operated by any place, city, town, or county against another place or county in this or in any other State except by authority of the State health officer.

26. The State health officer shall impose such quarantine restrictions and regulations upon commerce and travel by railway, common carrier, or any other means, and upon all individuals as in his judgment may be necessary to prevent the introduction of communicable diseases into the State or from one place to another within the State.

27. *Quarantine, isolation, and observation.*—The following degrees of control are to be carried out in all cases of communicable diseases declared notifiable: Quarantine, isolation, and observation.

28. *Quarantine.*—Quarantine is defined to mean and include—

(a) Strict isolation of the person sick and of those attendant upon him, in a room screened against flies and mosquitoes.

(b) Absolute prohibition of entrance to or exit from a building of any persons except the attending physician, health authorities, or any person or persons especially authorized by the health authorities.

(c) The following-named diseases shall be placed under quarantine: Plague, cholera, and typhus and yellow fever.

29. *Isolation.*—Isolation is defined to mean and include—

(a) Complete separation of the person sick with the communicable disease and of those attendant upon him, from all other persons on the premises, in a room screened against flies and mosquitoes.

(b) Prohibition of entrance to and exit from a building except against certain members of the family authorized by the health authorities under certain definite restrictions. Persons permitted ingress and egress under this regulation, who do not come in contact with the sick, may go about their occupations, provided they do not bring them in contact with assemblages of children. They must also refrain from visiting places of amusement, worship, or education.

30. *Placarding of premises.*—On all premises where a case of a communicable disease exists subject to quarantine or isolation, there shall be posted in conspicuous places, both at the back and front of the house or apartment, white placards bearing the name of the disease in large black letters with the following warning: "All persons are by this means notified of the presence of the above-named disease and are warned of the danger of coming in contact with it. It is unlawful to deface, mutilate, cover up, or remove this placard without the authority of the health officer. Penalty: Fine of not less than \$10 nor more than \$100, or by imprisonment not exceeding one month, or both." The placard shall be not less than 6 inches in width and 10 inches in length. In the case of scarlet fever the color of the placard shall be red; of diphtheria, blue; and of smallpox, yellow. For all other diseases the color shall be white.

31. The following-named diseases shall be placed under isolation: Acute anterior poliomyelitis, chicken pox, epidemic cerebrospinal meningitis, measles, smallpox, diphtheria, scarlet fever, and leprosy. Other restrictions governing this class of diseases shall be carried out according to the regulations laid down for each individual disease.

32. *Observation.*—Observation is defined to mean and include—

(a) Inspection from time to time by the local health officer of a person suffering from a communicable disease not subject to the regulations for isolation or quarantine.

(b) The supplying of information, printed or otherwise, to such persons relative to the measures for the care and prevention of the spread of infection. The health officer shall have such surveillance over such persons deemed necessary to prevent their becoming dangerous to the public health.

33. The following-named diseases shall be placed under observation: Tuberculosis, whooping cough, ophthalmia neonatorum, typhoid and paratyphoid fever, trachoma, malaria, pellagra, and hookworm disease.

34. Persons who have been exposed to a communicable disease may be placed under observation until the period of incubation has elapsed.

35. *Unlawful to remove placard.*—The fact of the alteration, destruction, or removal of any such notice shall be considered evidence that such notice was altered, destroyed, or removed by the occupant or persons having possession or control of the house or building upon which such notice is placed or posted, and it shall be the duty of the occupant having charge of the house or building to immediately notify the health officer having jurisdiction of such destruction or removal.

36. In the event that any of the general provisions for isolation and observation of communicable diseases are found to be violated, the local health officer may, with the approval of the State health officer, enforce quarantine.

37. *Release from quarantine.*—When persons confined in a house have recovered from a communicable disease, and when other persons confined in the house by reason of exposure, for which quarantine or isolation was established, are considered free from danger of spreading infection, the quarantine or isolation shall be raised by order of the health officer, but not until measures for disinfection applying to the particular disease have been carried out under the direction of the health officer or his authorized assistant.

38. It shall be the duty of every physician in attendance upon a case of a communicable disease to send to the health officer having jurisdiction a certificate signed by him certifying to the recovery or death of such case within 12 hours after he becomes aware of such recovery or death.

39. No person suffering from any communicable disease subject to quarantine or isolation shall be certified as having recovered therefrom until he is considered entirely free from communicating the disease to others, and the health officer shall satisfy himself that such is the case before ordering the removal of quarantine or isolation.

40. *Unoccupied premises to be cleaned.*—No person shall rent, or permit to be occupied, any apartment, residence, or building previously occupied by a person who has suffered from tuberculosis, scarlet fever, diphtheria, smallpox, or acute anterior poliomyelitis until the insides of such apartments shall have been thoroughly disinfected and cleaned under the supervision of a health officer or his assistant.

41. Every vacated house, store, office, or place of business or amusement in this State shall be thoroughly cleaned by means of the free use of water and a cleaning agent, vacuum cleaner, or other efficient and approved agent before being leased or used again.

42. There shall not be any public, house or church, funeral of any person who has died of plague, Asiatic cholera, smallpox, typhus fever, diphtheria, scarlet fever, acute anterior poliomyelitis, or epidemic cerebrospinal meningitis, and the attendance shall be limited, and only adults being allowed to participate in the brief service. The public notice of death of a person dying from one of the diseases enumerated in this paragraph shall state the name of the disease which caused the death.

43. No other persons than licensed physicians, undertakers, or nurses in attendance may enter or leave any house or building infected with any communicable disease subject to quarantine or isolation without first procuring permission from the health officer having jurisdiction and obeying absolutely his directions as to all sanitary precautions which he ordered.

44. No person recovering from a communicable disease shall leave the sick room or premises where he has been under quarantine or isolation until after removal of the placard, or warning card, by order of the health officer, in writing.

45. Physicians visiting patients under quarantine or isolation must take all possible precautions to avoid spreading the disease.

46. All dogs, cats, or other domestic pet animals shall be excluded from the room of persons ill of diseases requiring quarantine or isolation, and should be excluded from the house.

47. *Special regulations for communicable diseases.*—Asiatic cholera, plague, typhus and yellow fever shall be quarantined and reported at once by telephone or telegraph to the State health officer, when special instructions will be furnished.

SMALLPOX, VARIOLA, OR VARIOLOID.

48. *Isolation.*—Any person suffering with smallpox shall be isolated in a special room set aside for that purpose and from which all unnecessary furnishings have been removed. If such isolation can not be strictly enforced, then the patient should be removed to a hospital or place provided by the proper authorities for the care and treatment of such cases, provided this can be done without endangering the life of the patient.

Placarding of premises.—(See regulation 30.)

49. *Contacts*.—All persons who have been exposed or are likely to have been exposed to smallpox shall be immediately vaccinated and shall be under observation for 14 days from date of last exposure, unless they have had smallpox or have been successfully vaccinated within one year. All persons refusing to be vaccinated shall remain isolated 14 days.

50. Health officers shall vaccinate free, at stated hours and places, all persons who may apply for vaccination.

51. *Removal of placard*.—When the attending physician considers a smallpox patient as having recovered, after complete desquamation, he shall report the fact in writing to the health officer having jurisdiction, who shall thereupon remove or order removed the placard or warning card from the house. The patient must not leave the house until after the removal of the warning card.

52. *Disinfection*.—The apartments which have been occupied by a smallpox patient shall be deemed to be infected and when made vacant by death, removal, or recovery of the patient shall, together with their contents, be thoroughly cleaned and disinfected under the supervision or direction of the local health officer. All persons having been ill from smallpox shall, before being released from their isolation, have their clothing disinfected and take a disinfecting bath.

SCARLET FEVER.

53. *Isolation*.—Every case of scarlet fever shall be isolated in a special room set aside for that purpose and from which all unnecessary furnishings have been removed. If such complete isolation can not be enforced, then the case should be removed to a hospital or place provided by local authorities for the care and treatment of such cases, and such isolation shall continue until all evidences of inflammation of the nose, throat, and accessory cavities have disappeared, desquamation complete, and until after terminal disinfection.

Placarding of premises.—(See regulation 30.)

54. *Disinfection*.—The apartments occupied by a scarlet-fever patient shall be deemed infected and when vacated by death, removal, or recovery of the patient shall, together with their contents, be thoroughly disinfected under the supervision or direction of the health officer. All persons having occupied such apartments during the period of isolation shall have their clothing disinfected and shall take a disinfecting bath previous to their release from the isolated apartment. All disinfection prescribed in this rule shall be a part of the control of the disease.

55. *Contacts*.—Residence in a household where scarlet fever exists shall constitute exposure, and adults residing therein may pursue their ordinary vocations, provided they have furnished a signed statement to the health officer declaring that they will not come in contact with the patient or the patient's room. School children, teachers, or others having to do with children shall be excluded from all schools or any public or private gathering whatever for 10 days of observation after last exposure to any case of scarlet fever within the household or termination of all restrictions for isolation.

56. *Children to be removed from school*.—During the prevalence of scarlet fever in a community teachers and others in charge of schools shall exclude children showing evidence of inflammation of the throat.

57. *Sale of milk, etc.*—No milk, butter, or other dairy product shall be sold or given to any person or delivered at any creamery or butter factory from a house where a case of scarlet fever exists.

58. No person residing in a house where a case of scarlet fever is under isolation shall be engaged in the handling of milk or other dairy products.

DIPHTHERIA (MEMBRANOUS CROUP).

59. *Isolation.*—Isolate the patient as for scarlet fever and until the secretions from the nose and throat are free from the diphtheria bacilli as shown by two consecutive bacteriological examinations of such secretions, made at intervals of not less than 48 hours. Culture tubes will be furnished and examination made free of charge for counties and cities that do not maintain a bacteriological laboratory upon application to the hygienic laboratory of the State board of health.

60. If a bacteriological examination is not possible the patient shall be held under isolation for a period of two weeks after all evidence of sore throat or any discharge from the eyes, ears, nose, or throat has disappeared.

Placarding of premises.—(See regulation 30.)

61. *Contacts.*—Children and other persons who have been exposed to diphtheria not residing in a house where a case exists shall be isolated until shown by a bacteriological examination to be free of the diphtheria organism; when such examinations are not made they shall be kept in isolation for three days after an immunizing dose of diphtheria antitoxin of not less than 1,000 units has been administered; and when no such immunizing dose of diphtheria antitoxin has been administered the period of isolation shall be seven days since last possible exposure.

62. Children and other persons residing in a house in which a case of diphtheria exists shall be detained in their homes until the patient is released from isolation, after which they shall be subject to the restrictions mentioned in regulation 61. Wage earners shall be allowed to continue their occupations when employed in industries other than the production, manufacture, or sale of wearing apparel and foodstuff, and when their employment does not bring them in contact with children.

63. *Disinfection.*—Apartments occupied by a diphtheria patient shall be deemed to be infected, and when vacated by death, removal, or recovery of the patient shall, together with their contents, be thoroughly disinfected. All persons having occupied such apartments during the period of isolation shall have their clothing disinfected and take a disinfecting bath before being released from isolation. All disinfection prescribed in this rule shall be a part of the control of the disease.

64. *Sale of milk.*—No milk, butter, or other dairy product shall be sold or given to any person or delivered at any creamery or butter factory from a house under isolation because of the presence of diphtheria therein.

MEASLES.

65. *Isolation.*—All cases of measles shall be isolated as soon as the nature of the affection is suspected, and such isolation shall be continued until all catarrhal symptoms have disappeared. The fact of the disappearance of symptoms shall be determined by the proper local health authority, and this should determine the removal of quarantine by him.

Placarding of premises.—(See regulation 30.)

66. *Contacts.*—Children and others who have been in contact with measles patients, and those living in the same house where cases are present, shall not be required to be isolated, but shall be prohibited from attending school or other public gathering for a period of 14 days from last possible exposure. In the event of such children developing catarrhal symptoms, however, they shall be at once isolated.

67. *Notification of cases to teachers.*—Teachers and others in charge of schools shall be promptly notified by the proper health authority of the names of pupils

who have developed measles and the names of contacts who have been prohibited from attending school.

68. During the prevalence of measles in a community, teachers and others in charge of schools shall exclude children presenting catarrhal symptoms indicative of the disease. Teachers shall report to the health officer immediately the names of pupils who have been so excluded. Before permitting a child to return to school a certificate shall be required from the health officer or attending physician that it is no longer likely to convey infection.

69. *Disinfection*.—The discharges and articles soiled by the discharge shall be promptly disinfected during the course of the disease. Terminal disinfection is not necessary, but the room should be thoroughly aired for 24 hours before it is occupied by a well person.

CHICKEN-POX.

70. All persons affected with chicken pox shall be excluded from school and shall not be allowed to associate with other children.

71. *Chicken-pox in adults*.—Chicken-pox in adults occurs occasionally, but as this name is frequently given to evade the diagnosis of mild cases of smallpox, it is hereby required that every case be reported and treated by isolation of the adult patient until released by the health officer.

WHOOPING COUGH.

72. *Observation*.—Separate the patient from direct contact with other members of the family for not less than five weeks from the beginning of the disease, and longer, if necessary, until the "whoop" has entirely ceased. The patient should be cautioned not to cough in the presence of children.

73. Children of the household should be prevented from coming in intimate contact with the sick.

ACUTE ANTERIOR POLIOMYELITIS (INFANTILE PARALYSIS).

74. *Isolation*.—The patient shall be isolated for a period of two weeks from the onset of symptoms and according to the rules governing cases subject to isolation.

Placarding.—(See regulation 30.)

75. Discharges from the throat, nose, and mouth of the patient must be received on cloths and burned at once. Other discharges shall be disinfected before being allowed to leave the sick room.

76. *Disinfection*.—After death or termination of the case all personal clothing and bedding of the patient, together with the contents of the room and the room itself, shall be thoroughly disinfected and the destruction of any flies assured, under the supervision of the health officer.

77. *Contacts*.—Children, teachers, or others having to do with children, residing in an affected household, shall be kept under observation until isolation measures have been removed and the premises properly disinfected.

EPIDEMIC CEREBROSPINAL MENINGITIS.

78. *Isolation*.—Isolate the patient for a period of at least two weeks from onset of symptoms.

Placarding of premises.—(See regulation 30.)

79. *Disinfection*.—The discharges from the throat, nose, and mouth of the patient must be received on cloths and burned, or the cloths may be immersed

in boiling water or a disinfectant solution. Free ventilation of the sick room and exposure to sunlight of articles coming from the sick room will suffice in lieu of disinfection.

80. Persons living in a house where the disease is present should use disinfectant sprays for the nose and throat and should not mingle with the general public as provided for under the general rules for isolation.

81. *Contacts*.—All children from a household where a case is under isolation shall be excluded from school until such time as in the opinion of the local health officer all danger of conveying the disease has passed.

LEPROSY.

82. Cases of leprosy which are in the ulcerated stage or show the bacillus of leprosy in the sputum or nasal secretions, on microscopic examination, shall be subject to rigid segregation and quarantine according to directions to be issued by the State health officer.

83. Ordinary cases of leprosy shall be isolated as provided by general regulations.

OPHTHALMIA NEONATORUM.

84. Should one or both eyes of an infant become inflamed or swollen or reddened, or should any pus or secretion form in the eyes or upon the edge of the lids at any time, it shall be the duty of the midwife, nurse, or other person having charge of such infant to report, within 6 hours, to the local health officer, or to some legally qualified practitioner of medicine in the community in which such case shall occur the fact that such inflammation, swelling, or redness or accumulation in the eyes exists.

85. It shall be the duty of said health officer or physician, immediately upon receipt of the report, to notify the parents or person having charge of said infant of the danger to the eyes of said infant by reason of any neglect of proper treatment, and he shall give directions for the proper treatment thereof.

TUBERCULOSIS.

86. No person affected with pulmonary or laryngeal tuberculosis shall so dispose of the sputum or other bodily secretion or excretion as to cause offense or danger to any person or persons.

87. Any health officer receiving a complaint to the effect that the foregoing regulation is being violated shall investigate the same, and if it appears that the violation complained of is such as to cause offense or danger, he shall require him or her to dispose of the sputum or other infectious bodily secretion or excretion in such a manner as to remove all reasonable cause of offense or danger.

88. The apartments occupied by a tuberculosis patient shall be deemed to be infected, and when vacated by death or removal of the patient shall, together with their contents, be thoroughly disinfected under the supervision of the health officer. All disinfection prescribed in this rule shall be a part of the control of the disease.

TYPHOID AND PARATYPHOID FEVER.

89. No person affected with typhoid fever or in charge of a typhoid-fever patient shall so dispose of the excreta or other infectious bodily secretion or excretion so as to cause offense or danger to any person or persons.

90. Health officers shall direct those having charge of a typhoid-fever patient to immediately disinfect the excreta or other infectious bodily secretion or excretions coming from such patient.

91. The possible source of infection of cases of typhoid fever shall be carefully investigated by all health officers, and they shall make report thereof to the State health officer. Prompt measures must be taken to prevent any further infection from the known source.

92. Every case of typhoid fever should be isolated in a room set aside for that purpose, or hospital, and securely screened against flies. The health officer shall order and enforce screening of the apartment or room in which the patient is confined.

TRACHOMA.

93. No child suffering from trachoma shall be allowed to attend any private, public, or parochial school, unless under the close supervision of a competent physician, who shall certify in writing to the school board and the health officer that the case is not in a contagious stage.

(Sections 94 to 121 describe disinfectants and methods of disinfection.)

SCHOOLS.

122. Pupils actually infected with the following-named diseases shall be excluded from school during the existence of the disease and shall be readmitted only upon presenting a certificate from a licensed physician attesting to their recovery: Tonsillitis, trachoma (or sore eyes of any kind), scabies (itch), pediculosis capitis (head lice), pediculosis corporis (body lice), tinea circinata (ringworm), impetigo contagiosa, favus.

No person suffering from any communicable disease shall be employed as teacher or janitor or in any capacity which brings them in contact with children in any public school in this State.

123. The teacher or principal shall exclude from school any child suspected to be suffering from any communicable disease, pending examination, and report from a licensed physician.

124. No pupil who has suffered and recovered from a communicable disease while attending school, or who has recently suffered from a communicable disease, shall be permitted to reenter or enter, as the case may be, any school except upon certificate of a licensed and competent physician, setting forth that all rules and regulations have been complied with, and that the pupil presents no evidence of the disease and is incapable of conveying the infection.

125. No person shall be entered as a teacher, employee, or pupil in a public or private school in this State without having first presented to the principal in charge or the proper authorities a certificate from a licensed and competent physician of this State certifying that the said teacher, employee, or pupil has been successfully vaccinated; or in lieu of a certificate of successful vaccination a certificate certifying a recent vaccination done in a proper manner by a competent physician or a certificate showing immunity from having had smallpox.

126. Teachers boarding or residing in a family in which any disease subject to quarantine is known or suspected to exist shall immediately remove to premises not so infected, and provided they have not been actually exposed to scarlet fever, diphtheria, or smallpox, may be allowed to continue their attendance at school: *Provided*, That in the case of smallpox such teacher has been successfully vaccinated and recently revaccinated within one year; and in the case of diphtheria and epidemic cerebrospinal meningitis that bacteriological examination of the discharges from the throat and nose proves negative, may be permitted to return to discharge school duties.

127. Every building used for school purposes, and in which school both sexes are in attendance, shall be furnished with at least two closets, one for males and one for females, and so arranged as to afford the greatest possible privacy. Buildings to which water and sewerage are available shall be provided with water-closets and connected with the sewerage system. When water and sewerage are not available, buildings, dry closets, privies, or other sanitary provisions shall be provided, which shall be flyproof in construction and built and maintained in accordance with the plans and specifications of the State board of health.

NOTE.—Plans and specifications of dry closets will be furnished by the State board on application.

128. Sanitary drinking fountains and other devices, or individual drinking cups, shall be used exclusively in all schools. Where it is necessary to use a water receptacle, a tank with a faucet shall be provided. A common drinking cup or pail is prohibited. (See regulation 255.)

129. In communities where there is no public water supply, tubular or driven wells with pump should be provided to furnish water for drinking purposes. Water from a dug well, unless provided with a pump and protected from seepage, should not be used for drinking purposes in public schools. The source of water must be located at least 150 feet from any closet, horse lot, cowpen, or any other thing that might pollute the soil; and in no case shall it be placed at a lower altitude than the closet.

130. Buckets and all open water receptacles are condemned and forbidden. When water is not supplied at the pump or from water faucets, or from sanitary drinking fountains, then covered tanks or coolers, with free flowing faucets, shall be supplied.

131. Where springs are used as a source of water supply for schools, they shall be strictly guarded against contamination through soil pollution, drippings or waste water, and under no condition shall pools, sodden places, or large or small mudholes be allowed to exist within 125 feet of the source of the water supply.

132. Water and soap for hand washing shall be provided. Towels for common use are prohibited. Paper towels are recommended.

133. Teachers should instruct pupils to wash their hands immediately after visiting water-closets, outhouses, or comfort stations.

134. Ventilation must be carefully attended to in all schoolrooms, and when a special ventilating system is not installed it shall be the duty of teachers to flood the schoolrooms with fresh air by opening the windows and doors at recess and at noontime, and daily at other times whenever the air becomes close or foul.

During cold weather, the pupils should be given calisthenic exercises during the time windows are open with school in session.

135. Dry dusting and sweeping is condemned and prohibited. Before sweeping, light sprinkling of the floor with dampened or oiled (kerosene) sawdust or paper is recommended.

136. In dusting, oiled (kerosene) or dampened cloths shall be used. Feather dusters shall not be used.

Public Buildings—Care and Maintenance of. (Reg. Bd. of H., May 16, 1913.)

137. State, county, city, and town institutions, theaters, halls, places of amusement, office buildings, churches, and any other buildings used for public meetings, shall conform in their sanitary arrangements to the requirements of the State board of health, and shall at all times be kept in a clean and sanitary condition.

138. *Ventilation and lighting.*—Every such building shall be provided with proper methods for maintaining the purity of the air within such building, and a suitable number of windows and doors shall be provided. Ample exhaust fans or other auxiliary means may be installed for proper ventilation. For lighting, the glass area of windows shall equal one-fifth of the floor space of the room.

139. *Water-closets and urinals.*—Water-closets and urinals must be provided in all public buildings, and shall be connected with the public sewer: *Provided*, No sewer system exists and other means for the disposal of human excreta are used, plans for sewage and waste disposal for public institutions must be submitted for approval by the State health officer, and for other public buildings named for approval by the local health officer.

140. *Methods of cleaning.*—All buildings used for public meetings shall be cleaned after each meeting held in them, such cleaning to consist of thorough sweeping of floors and the wiping of woodwork, together with the opening of all windows and doors, to permit the entrance of fresh air and sunshine; said windows and doors to remain open not less than three hours. Sweeping of the floors must be done in such manner that dust will not arise, either by the use of the pneumatic vacuum process or by sprinkling sufficient sawdust or paper dampened with oil or water to allay the dust. For the removal of dust a cloth dampened with oil or water shall be used. Mopping may be substituted for sweeping.

NOTE.—In construing this rule, all meetings held in a single day shall be regarded as one meeting.

141. *Spittoons.*—No spittoons or cuspidors, shall be placed in theaters, churches, lecture halls, indoor places of amusements, restaurants or other places where food is served. In all other public buildings wide-mouthed cuspidors, or spittoons, shall be provided, and shall contain water at least 1 inch in depth. Such spittoons and cuspidors shall be emptied, washed, and rinsed with water and rendered thoroughly clean daily.

142. *Heating.*—All public buildings shall be provided with proper heating facilities for the comfort of the occupants, and should be maintained at a temperature between 68° and 72° F. and shall never be superheated.

143. *Common drinking cup and common towel prohibited.*—The use of the common drinking cup and the common towel is prohibited. (See regulations 255 and 256.)

144. *Water supply.*—Water supply for all such buildings must be from a pure source and kept at all times in such a manner as to prevent contamination or pollution.

Hotels, Boarding Houses, and Lodging Houses—Sanitation of. (Reg. Bd. of H. May 16, 1913.)

145. *Sanitary conditions.*—Every hotel, boarding house, or lodging house shall have the premises well drained and shall be kept at all times in a clean and sanitary condition, free from vermin, and free from effluvia arising from any sewer, drain, privy, or other source within the control of the proprietor. All walls, ceilings, floors, and furniture shall be kept free of dust and dirt.

146. *Ventilation.*—Every room which has been occupied by any person shall be properly ventilated and aired for at least three hours after cleaning, by completely opening the windows, by raising the lower sash at least 15 inches and lowering the upper sash at least 15 inches: *Provided*, The construction of the windows will permit it.

147. *Water-closets and privies.*—All hotels, boarding houses, or lodging houses shall be provided with water-closets connected with a sewerage system if pos-

sible; if not possible or reasonable to connect with sewer, and privies are used, they shall be properly screened, amply ventilated, and lighted with window light, communicating directly with the external air. Sufficient suitable, and separate privy accommodations shall be provided for the use of males and females. These structures shall conform in construction with the regulations providing for the proper disposal of human excreta. (See regulations 216 *et seq.*)

NOTE.—Plans and specifications for sanitary privies will be sent on application.

148. *Furnishings of bedrooms.*—Every hotel shall furnish clean and fresh bed linen unused by any other person or guest since the last laundering of such bed linens, on all beds assigned to the use of any guest or patron of such hotel. The sheet shall be of sufficient width and length to reach the entire length of the bed, cot, or other sleeping place, and with 3 feet extra to cover the upper or head end which shall be lapped back over any other covering thereon.

149. *Airing bedding.*—All beds, mattresses, and bed coverings shall be kept clean, free from dust, dirt, vermin, and anything objectionable to sight or smell. All mattresses, pillows, and bedding shall be exposed to fresh air for at least three hours every two weeks.

150. *Care of toilet articles.*—All bowls, pitchers, and other toilet articles used in a room shall be made thoroughly clean. Toilet articles used for the reception of excreta shall be washed and rinsed out with scalding water. Pitchers shall be emptied and refilled with fresh water upon the reception of a guest.

151. *Vessels to be of earthenware.*—All toilet articles, including basin, slop jar, urinals, and pitchers shall be made of earthenware, granite, or enamel ware, and shall always be in perfect repair. No tin or iron ware articles shall be furnished.

152. *Clean towels.*—At least two clean towels, not less than 18 by 36 inches in dimensions, and one bath towel and plenty of soap shall be furnished daily to each guest.

153. *Drinking glass.*—A clean drinking glass which has been thoroughly washed in boiling water shall be furnished to each guest.

154. *Fire escape.*—It shall be the duty of every person operating any hotel or inn containing seven rooms or more, of two stories high or more, to have a rope not less than one-half inch in diameter and knotted not more than 15 inches apart and of sufficient strength to hold up 500 pounds and long enough to extend within 24 inches of the ground. The rope shall be securely attached to the window sill or wall of one window in each room above the first story of said building to be occupied by guests. The rope shall be kept in full view at all times and protected against dust and shall be placarded "Fire escape." This law does not apply to hotels equipped with iron fire escapes.

155. *Screening.*—It shall be the duty of every hotel or inn keeper to properly screen with wire gauze, not less than 18 mesh, all openings communicating with the exterior of the building, windows of sleeping apartments, the doors and windows of the kitchen and dining rooms, so as to effectively prevent the entry of flies, mosquitoes, and other insects into the building.

156. *Cleaning.*—All floors without fixed carpets, including the halls, galleries, staircases, passages, kitchen, dining rooms, and toilet rooms, shall be scrubbed at least twice a week with soap and water.

157. *Dusting and sweeping.*—Dry sweeping and dusting is condemned and prohibited. Sweeping must be performed daily at such an hour when free of occupants and must be done in such a way that dust will not arise, by the use of either the pneumatic vacuum process, or by sprinkling sufficient sawdust or paper, dampened with oil (kerosene) or water to allay the dust. For removal

of dust, cloth dampened with oil or water shall be used. Floors should be mopped or scrubbed.

158. *Bathing facilities.*—Every hotel shall have an ample number of sanitary bath tubs or shower baths, where a public water supply is obtainable, for the use of guests, and an ample supply of hot and cold water for bathing purposes shall be furnished.

159. *Refrigerators and ice.*—Hotels, boarding houses, restaurants, eating houses, and all other places where food and drinks are prepared, served, sold, or stored shall have every ice box or refrigerator scoured with boiling water at least once each week, and oftener if necessary, and shall always be kept in a cleanly condition. Ice must be washed before being put into ice boxes and handled with tongs, never with the bare hands. No decomposing foods shall be allowed to remain in ice boxes or refrigerators. Milk and butter shall be kept in separate compartments from meat and vegetables.

160. *Garbage and refuse.*—Every restaurant, hotel, boarding house, inn, or any eating house shall provide a suitable covered receptacle for liquid garbage and refuse, and said receptacle must be emptied and its contents removed from the premises at least once daily.

161. *Diseases.*—No person suffering with active tuberculosis in any form or venereal diseases in a communicable stage or with a communicable skin disease shall be employed in a hotel, lodging house, restaurant, eating house, or places where food or drink is handled or served or other places patronized by the public where such communicable disease might be conveyed to other persons.

162. *Spitting.*—Notices reading as follows: "Do not spit on the floor; to do so may spread disease," shall be prominently posted in corridors, hallways, and lavatories.

Bakeries—Construction and Maintenance of. (Reg. Bd. of H., May 16, 1913.)

163. Every place used as a bakery shall be kept in a clean and sanitary condition as to its floors, sidewalks, ceilings, woodwork, fixtures, furniture, tools, machinery, and utensils.

164. All parts of the bakery shall be adequately lighted and shall be ventilated by means of windows, skylights, air shafts, air ducts, or mechanical apparatus, if necessary, so as to insure the free circulation of air at all times.

165. The floor of every place used as a bakery shall be at least 12 inches above the ground, unless constructed of cement, asphalt, or other impervious material, and must be thoroughly scrubbed not less than twice a week.

166. The floors must be water-tight and substantial, and the angles, where they join with the walls, shall be made and maintained so as to be rat proof.

167. All doors, windows, and other openings shall be screened with 18-mesh wire and have suitable shutters of wood or glass to protect against dust, dirt, and insects.

168. Walls and ceilings shall be smooth and tight and kept in good repair; shall be kept well painted, white, or lime washed or kalsomined, and all woodwork, except floors, shall be kept well painted with oil paint.

169. Every bakery shall be provided with adequate plumbing arrangements and drainage facilities, including well-ventilated water-closets and impermeable sinks on iron supports. No water-closet shall be in direct communication with a bakery.

170. No person shall sleep in any bakery where flour, meal, or food products are handled or stored.

171. No domestic animals shall be permitted in a bakery or place where flour or meal is stored or manufactured bakery products are kept or offered for sale.

172. Storage rooms shall be separated from bakery and shall be of rat-proof construction.

173. All workmen and employees engaged in the manufacture or handling of bakery products in a bakery shall wear outer garments of washable material, which shall be kept clean at all times. They shall cleanse their hands and finger nails thoroughly before beginning work.

174. Spitting on the floor is prohibited, and the use of tobacco in any form is prohibited.

175. Every bakery shall be kept clean and at all times free from rats, mice, flies, vermin, dogs, cats, or other animals. Dry sweeping and dusting is prohibited.

176. All storage rooms where flour and meal are kept for use in connection with any bakery shall be dry and well ventilated; and all shelves, cupboards, trays, troughs, bins, cases, and other appliances for handling or storing the same shall be arranged so that they can be easily removed and cleaned.

177. All bread offered or intended for sale shall be suitably wrapped, each loaf separately, in paraffin or other clean paper, in such a manner as to completely protect the bread from dust, dirt, flies, or any vermin; said wrapping to be done at the shop or plant where said product is made.

Milk and Milk Products—Production, Care, and Sale of. (Reg. Bd. of H., May 16, 1913.)

178. Any person owning or managing a dairy or dairy farm, the products of which are sold, shall conform to each and every rule herein set forth for maintaining and handling all such products in a cleanly and sanitary condition.

179. *Cows.*—Cows shall be in a healthy condition, and should be tested for tuberculosis once a year, and those reacting or showing evidence of tuberculosis shall be removed.

180. Cows shall be kept in a cleanly condition, curried and brushed daily. Bedding shall be fresh, and the temperature of the stable kept comfortable.

181. *Location of stables.*—Stables shall be located on ground which is well-drained and free from any contaminating surroundings.

182. *Construction.*—Stables shall have water-tight floors and gutters for proper drainage; walls and ceilings to be tight and smooth. A proper stall for feeding shall be provided.

183. *Light.*—Provision shall be made for 4 square feet of glass light for each cow, and such light shall be of even distribution.

184. *Ventilation.*—An automatic ventilating system should be installed if practicable.

185. *Cubic feet of space per cow.*—There shall be provided not less than 500 cubic feet of space per cow.

186. *Barn roof.*—A cover to the barn shall be provided so as to protect cows from rain and sunshine, and if the roof is a slanting one, the lowest place shall be not less than 8 feet above the ground.

187. *Cleanliness of stables.*—Stables shall be kept clean at all times. The floors, walls, ceilings, and ledges to be kept free from dust or dirt. Mangers, partitions, and windows shall also be kept clean.

188. *Storage of food.*—If any foodstuffs are stored in the loft, the floor of such loft shall be absolutely tight so that no particles of foodstuffs may come through. No storage of foodstuffs above the stalls shall be permitted unless the floor be tight and dust proof.

189. *Removal and care of manure.*—The barnyard shall at all times be kept clean and well-drained; manure or any other refuse shall be removed twice a

day to a distance of at least 150 feet from the barn or stables and stored into a fly and wind proof receptacle.

190. *Milk room—Construction.*—The milk room shall be provided with doors and windows securely screened against flies; tight walls and floors kept constantly clean; the walls and floor to be of such construction as to allow easy and thorough cleansing, and all walls and ceilings shall have ample light and ventilation.

191. *Location of milk room.*—The milk room shall be free from contaminating surroundings and shall be removed from all barns at least 150 feet.

192. No portion of the building shall be used for stabling any other animal, fowls, or for sleeping purposes, nor shall any cows used for dairy purposes be stabled in any portion of the building.

193. No water-closet, privy or cesspool, urinal, or other source of contamination shall be erected, kept, or permitted within 150 feet of the room or portion of the building where cows are stabled, or in which milk or other dairy product is stored, mixed, or altered.

194. *Utensils and milking.*—Water for cleaning all milk utensils shall be clean, convenient, and abundant. A small topped milking pail is recommended. Facilities for hot water and steam shall be in the milk house and not in the kitchen.

195. Employees shall be provided with clean milking suits made of washable material.

196. Every care shall be taken to maintain absolute cleanliness of milking utensils, which should be thoroughly washed and sterilized in live steam before being placed in use for the reception of milk.

197. Personal cleanliness of employees shall at all times be maintained, who shall, before milking, wash their hands, clean their finger nails, and milk with dry hands.

198. The udders of cows shall be washed and dried immediately before milking.

199. *Handling the milk.*—All milk removed shall be handled by attendants having clean hands, and whose outer garments are of clean, washable material. Milk shall be removed immediately from the stable and cooled immediately after milking each cow.

200. No person suffering from a communicable disease or residing in a house where such disease is under treatment, and subject to quarantine, isolation, or observation, shall in any way handle, furnish, or sell milk or its products unless especially authorized by the local health officer.

201. No person shall sell or offer for sale any milk or dairy product from cows which have not been tested for tuberculosis and found to be free of the disease; nor from any cow known or suspected to be suffering from any local or general disease which is liable to render the milk from said cow unwholesome; nor milk watered or adulterated milk or milk known as swill milk, or milk from cows that are fed on swill, garbage, or other like substance, nor any butter or cheese made from any such milk.

Camps and Resorts—Sanitation of. (Reg. Bd. of H., May 16, 1913.)

202. The owner, agent, manager, or foreman of any lumbering camp, mining camp, sawmill camp, railroad camp, boarding car or construction camp, pleasure camp or resort, or so-called open-air health resort, or industry requiring the establishment of a camp, shall be responsible for the proper execution and enforcement of any regulations herein contained, or of any clause of any health

regulation governing any case or circumstance for the proper sanitation and cleanliness thereof.

203. Kitchen, dining room, or eating room shall be screened, and shall be provided with proper facilities for the cleanliness of the employees.

204. Garbage and all refuse shall be disposed of so as not to create a nuisance or to contaminate drinking water, and in all and other respects conform to the regulations as provided elsewhere.

Pure and wholesome water in sufficient quantities shall be furnished at all times.

205. Latrines, earth, or other closets located not less than 150 feet distant from the nearest dwelling or kitchen, shall be constructed at every camp or resort, and in other respects conform to the regulations providing for the proper disposal of human excreta.

206. Stables in connection with any camp or resort must be so located as not to contaminate the water supply of the camp or of any neighboring community, and they shall be not less than 150 feet from the nearest dwelling or kitchen, or from the source of water supply.

207. A hospital building, or tent, shall be furnished for the care and treatment of any person suffering with a communicable disease.

208. Should any communicable disease requiring quarantine or isolation or any unusual amount of illness break out in any camp the nearest health officer within whose jurisdiction the camp is located shall at once be notified by the person in charge.

Boarding and Construction Cars—Sanitation of. (Reg. Bd. of H., May 16, 1913.)

209. Boarding cars, camp houses, or any wooden structures used in connection with any camp shall have all walls and ceilings whitewashed every three months, or painted every six months; the floors thereof must be scoured with soap or other cleansing agent and water at least twice a week, and said dwellings shall be constantly maintained in a sanitary condition free from vermin.

210. Boarding and construction cars shall be kept in a clean and sanitary condition at all times, and due regard shall be had for the comfort of those employed in and on such cars. Flies and mosquitoes shall be screened against, and water and food protected against contamination from any source.

211. All bunks or beds shall be kept clean and thoroughly aired every day.

212. Pure and wholesome water shall be furnished in sufficient quantities for drinking and domestic purposes at all times.

213. No nuisance shall be committed on any boarding or construction car which is repugnant to the senses.

Privies and Cesspools—Construction, Maintenance, and Disposal of Contents. (Reg. Bd. of H., May 16, 1913.)

214. In cities, towns, and villages, incorporated or unincorporated, all human excreta shall be deposited in sewers, cesspools, vaults, septic tanks, dry closets, or incinerators of special construction.

215. All cities and towns not now operating a sewerage system shall, before undertaking the installation of such system, present the proposed plan, together with the plan for the proposed final disposal of sewage, for the approval of the State board of health.

216. Cesspools and vaults shall be of water-tight construction for holding excreta, and be made fly proof, and whenever the contents reach within 2 feet of the ground surface must be cleaned out to the bottom. They shall at least

once a year, and at such other times as may be considered necessary by the health officer, be thoroughly emptied and cleaned.

217. Cesspools and vaults shall be constructed in accordance with plans and specifications approved by the State board of health.

218. No part of the contents of any privy shall be removed therefrom nor shall the same be transported through or over any streets or highways except as the same shall be removed and transported by means of some air-tight apparatus, pneumatic or other process, so as to prevent the contents from being agitated or exposed to the open air during the process of such removal or transportation.

219. Where persons are employed or intended to be employed in any trade, occupation, or business there shall be provided sufficient and suitable privy accommodations, having regard to the number of persons employed or in attendance; and also where persons of both sexes are employed or intended to be employed or in attendance sufficient and separated privy accommodations shall be provided for each sex.

220. The term "privy" shall be held to mean any building or part of a building used or intended to be used for the reception of human excreta and which is not connected with the public sewer or some duly authorized system of sewage disposal so as to immediately remove such material from such building.

221. No person, firm, or corporation shall own, maintain, or rent any privy in any incorporated or unincorporated city, town, or village unless the same shall be so constructed as to prevent the soil from contamination; and to prevent the access of flies to the excrement deposited therein by means of wire gauze, 18 strands to the inch in each direction; and to permit the easy and proper placing and removal of a receptacle, the dimensions of which shall be at least 16 inches in height and 15 inches in diameter.

222. Regulation 216 applies to all schoolhouses, churches, camps, mills, depots, factories, public buildings, railroad stations, boarding and construction cars.

223. Dry closets shall be constructed in accordance with plans and specifications furnished by the State board of health.

224. All dry closets shall be kept free from odor, and for this purpose dry pulverized earth, ashes, or chloride of lime shall be used to cover at all times the excreta. Dry closets shall have containers emptied at least once in every two weeks, and as often as may be necessary.

225. Human excreta shall not be used for fertilization purposes except the same has been treated by a method by the State health officer.

226. Human excreta taken from cesspools, vaults, or dry closets shall be buried or incinerated. When such excreta is buried it shall be planted to a depth of not less than 3 feet and not less than 300 feet from any water supply, and shall not be buried within the corporate limits of any city or town, nor within 500 yards of any habitation.

227. No abandoned well or deep well shall be used for sewage or a receptacle for household waste.

228. No privy vault, cesspool, or reservoir into which a privy, water-closet, sink, or stable is drained, except it be water-tight, shall be established in water-bearing strata or within 150 feet of any well, spring, or any other source of water used for drinking or culinary purposes.

229. All privy vaults, reservoirs, or cesspools named in regulation 217 shall be cleaned and emptied of their contents at least once every year before the 1st day of May and shall at all times be kept thoroughly deodorized and disinfected by adding to the contents thereof at least once each month, or oftener if necessary, calcium hypochlorite as follows: Take the calcium hypochlorite in powder form and sprinkle over the contents until the odor is abated, stirring

contents if necessary. All privy vaults within the limits of any city or town shall not be less than 5 feet deep and shall be constructed of brick set in cement, or of concrete construction.

230. No privy vault, water-closet, cesspool, sink, or stable drain shall open into any ditch, stream, or drain, except into the public sewers of any city or into disposal tanks equipped with aerated contact or trickling filters of ample area.

231. All sewer drains leading to outfalls or disposal plants shall be of standard construction, and no sewer drain or outlet from any sewage-disposal plant, except as hereinafter provided, shall empty into any lake, pond, creek, stream, or open field.

232. Septic tanks or other disposal tanks shall be made of water-tight concrete or masonry construction. The filters of disposal plants, except in isolated locations in nonwater-bearing strata, shall be installed in basins with water-tight bottoms and side walls.

233. All disposal plants not discharging the effluent into an established sewer system shall be provided with aerated filter beds constructed of proper filtering materials and of sufficient capacity to render the effluent clear and nonputrescible at all seasons of the year: *Provided*, That in the case of country residence and other isolated locations the effluent from septic tanks or cesspools or other types of sewage disposal need not be subjected to filtration if such effluent can be discharged in sufficient isolation to prevent the creation of a nuisance or a menace to health, and in any case the pollution of any source of domestic water supply must be avoided.

234. The nonputrescibility of effluents shall be determined by recognized tests.

235. If the effluent from the filters shall be discharged into any water course, open drain, stream, or pond or source of water supply, or upon any lowland where in any manner by drinking the effluent or water polluted by it, or by contact with the same, either by man or beast, pathogenic germs may be transmitted, such effluent shall be sterilized by calcium hypochlorite or other suitable and safe chemical means.

236. The discharge of the effluent from septic disposal plants or any other type of disposal plant into abandoned wells or into creviced strata reaching water-bearing strata from which a domestic or public water supply is drawn is prohibited.

237. The different methods of irrigation and intermittent filtration are not intended to be excluded by the above requirements, but are also permitted and recommended where the conditions and surroundings will allow such methods of sewage disposal to be safely employed without creating a nuisance or menace to public health and without polluting any source of domestic or public water supply.

Water Supplies—Protection of. (Reg. Bd. of H., May 16, 1913.)

238. *Water pollution.*—Any person or persons, firm, company, corporation, or association in this State, or the managing agent of any person or persons, firm, company, corporation, or association in the State, or any duly elected, appointed, or lawfully created State officer in this State, or any duly elected, appointed, or lawfully created officer of any county or municipality in this State, shall not deposit, permit, or allow any person or persons in their employ or under their control, management, or direction to deposit in any of the waters, lakes, rivers, streams, wells, and ditches in this State any rubbish, filth, or poisonous or deleterious substance or substances liable to affect the health of persons, fish, or

live stock, or place or deposit any deleterious substance or substances in any place where the same may be washed or infiltrate into any of the waters herein named.

239. *Potable waters.*—It shall be the duty of local health officers to make an inspection of the sources of water supply of the several communities within their jurisdiction as may be necessary in order to ascertain whether the water from same is pure and wholesome; to take all usual and reasonable measures and precautions to secure and preserve its purity and wholesomeness.

240. Water from wells should be drawn only by the use of pumps and shall be protected from seepage by a water-tight covering.

241. No well may be excavated or dug on any premises used as a bakery or bake shop, and if such now exists the same shall be immediately filled up to the surface of the ground. The boring of an artesian well is not prohibited.

242. When the Arkansas State Board of Health shall, for the better protection of the water supply from pollution and to insure as far as possible the purity and wholesomeness of such water supply and to safeguard the public health in any city, town, or community in this State, make any order or regulation the execution of which will require or make necessary the securing of another water supply, or the modification or extension of any methods of water purification, or the construction and maintenance of a sewerage system for the disposal or purification of sewage, the corporation or municipality owning or operating waterworks or sewerage systems shall, at its own expense, comply with such orders and regulations in a reasonable length of time: *Provided*, That all proposed changes shall first be approved by the State health officer.

243. Every cistern used for drinking water shall be provided with a rain-water cut-off or any simple device which will deflect the first washings of the roof and prevent the introduction of impurities into the cistern.

Rabies—Control of. (Reg. Bd. of H., May 16, 1913.)

244. When an animal suspected of having rabies has bitten a human being the person so bitten, or his legal representative, shall secure or cause to be secured such animal alive and without injury if possible. The animal shall be confined in a safe, quiet, roomy, and comfortable place, and a report giving full particulars concerning the action taken sent to the State health officer. This report shall include the name of the locality in which the biting occurred, the date the bite was inflicted, the name, residence, and address of the owner of the animal; the full name or names of the person or persons bitten, together with their residence, age, sex, race, and information as to the location and extent of their bites; the names, addresses, and residences of all owners of animals which have been bitten by the animal in question, together with a list and description of the animals bitten and disposition made of the same. Such supposedly rabid animal must be kept under careful observation for at least five days, when, if rabid, clinical evidence of rabies will manifest itself and death will shortly ensue.

245. Unless the animal is plainly ill it should not be killed immediately after biting its victim. It should be held under observation for 10 days, and if it remains well during that time it is absolutely certain that it is not suffering with rabies.

246. Do not kill the animal by a blow or a shot in the head, for this often destroys the brain so completely that examination is impossible. When the animal dies or is killed the head and several inches of the neck should be cut off, packed in ice and sawdust, and inclosed in a water-tight container and sent to the hygienic laboratory of the State board of health for microscopical examination. Report will be made immediately after the diagnosis is made.

247. All persons bitten by an animal suspected of having rabies or declared upon microscopical examination by the State board of health to have been so infected, should have the Pasteur treatment administered for the prevention of rabies.

248. If it shall appear to the State health officer that the life and health of any settlement, village, town, or city is endangered by the prevalence of rabies, or the running at large of dogs suspected of being rabid, or to have been bitten by or exposed to rabid dogs, then the State health officer shall require all dogs kept in such settlement, village, town, or city to be effectively muzzled and for such length of time as shall be necessary for public safety. It shall be the duty of the local authorities, when such an order is promulgated by the State health officer, to enforce its provisions.

249. Whenever in the opinion of the city or county health officer, as the case may be, all danger has elapsed from an outbreak of rabies, upon such information being furnished, the State health officer shall terminate the muzzling order by proper promulgation.

Flies and Mosquitoes.—Screening Against. (Reg. Bd. of H., May 16, 1913.)

250. *Screening against flies.*—Hotels, boarding houses, restaurants, cafés, and such other places where persons are served with food or drink of any description for pay shall have kitchens and dining rooms securely screened against flies.

251. All dealers in such food supplies as are liable to contamination from dirt, flies, insects, etc., such as milk, meats, fish, vegetables, fruits, candies, and cake, shall provide a covering of some suitable material, or other means, to protect any such food exposed for sale from dust, flies, insects, etc.

252. No person, firm, or corporation in any city or town shall suffer or permit or have upon their premises, whether owned or leased by them, any one or more of the following insanitary, fly-producing, disease-causing conditions, to-wit:

- (a) Animal manure in any quantity that is not securely protected from flies.
- (b) Privies, vaults, cesspools, pits or like places, which are not securely protected from flies by screening.
- (c) Garbage in any quantity which is not securely protected from flies.
- (d) Trash, litter, rags, or anything whatsoever, in which flies may breed or multiply.

253. *Screening against mosquitoes.*—No hotel, boarding house, lodging house, or inn shall be operated for pay in the State of Arkansas without having all doors and entrances on the outside and all windows effectively screened against mosquitoes. The mesh of said screen shall be not less than 18 strands to the inch in either direction.

254. No person, firm, or corporation shall have upon their premises, whether owned or leased by them, any standing water liable to breed mosquitoes in or near cities, towns, or villages, unless treated by one of the following methods:

- (a) Cisterns to be screened with wire mesh not less than 18 strands each way to the inch for covering all openings accessible to mosquitoes.
- (b) Tanks and barrels to be screened in like manner, or water covered with coal oil or crude petroleum, or shall be emptied and dried.
- (c) All water containers in hotels, boarding houses, public buildings containing water, shall be emptied at least once a week and the container dried before refilling.
- (d) Water in ponds, pools, fountains, basins, urns, depressions, or excavations liable to hold water which may become stagnant, shall be stocked with small fish, or screened, or petrolized, or effectually drained by whichever method is applicable.

Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., May 16, 1913.)

255. Common drinking cup.—Common carriers, hotels, boarding houses, restaurants, schools, clubs, public buildings, theaters, factories, stores, and all other places where people eat and drink, congregate, or patronize, shall not provide any drinking cup, glass, or vessel for common use: *Provided*, That this regulation shall not be held to preclude the use of drinking cups, glasses, or vessels, which are thoroughly cleaned by washing in hot water after use by each individual, nor shall it be held to preclude the use of sanitary devices for individual use only.

NOTE.—This regulation does not apply to private houses.

256. Common towel.—The use of the common towel, or towel to be used in common, by the employees, patrons, frequenters of, or the public in any room, closet, pantry, lavatory, or washroom in or attached to any public place, railroad station, boarding house, warehouse, restaurant, saloon, hotel, club, school-house, office building, public office, store, factory, workroom, markets, or any place where food or drinks are prepared, served, sold, or stored, used by the public or where persons are employed or patronize, is hereby forbidden.

257. The term "common towel," as used in these regulations, shall be considered to mean a roller towel, or a towel available for use by more than one person without being washed after such use.

NOTE.—This regulation does not apply to private houses.

Spitting—Prohibited in Public Places. (Reg. Bd. of H., May 16, 1913.)

258. Spitting upon the floor, walls, steps, stairways, sides, or platform of any railroad, steam, electric, or street car, station, steamboat or ferryboat, elevator car, or any public or private conveyance, or of any private building, halls, theaters, church, school, hotel, lodging house, factory, workshop, or other place of employment, or any house, tenement house, market, or upon any sidewalk in city, town, or any public or private place, or where people congregate or where people cater to the public, is hereby prohibited.

259. It shall be the duty of every corporation or person in charge of any place mentioned in the preceding paragraph to furnish as many receptacles for the reception of sputum as may be required by the health officer having jurisdiction, of a pattern, shape, or design approved by said health officer, and such receptacle shall at all times contain at least one-half pint of clear water and shall be washed daily until thoroughly clean.

260. It shall be the duty of every corporation or persons in charge of any place frequented by the general public mentioned in regulation 258 to have as many copies of regulation 258 as may be necessary to call the attention of the public to the requirement of the State board of health printed, framed, and permanently posted in conspicuous places.

261. The poster or notice shall contain the following:

(a) Warning: Do not spit on the floor; to do so may spread disease. (In large bold-face type.)

(b) Regulation 258. (Quote verbatim.)

(c) Penalty for violation, etc.

(Regulation 262 gives advice as to the preferable form of spittoons.)

Lavatories—Required in Places where Food is Prepared or Handled. (Reg. Bd. of H., May 16, 1913.)

263. No manufactory, bakery, butcher shop, slaughterhouse, or any other place where human food or drinks are prepared for use, and all stores, shops,

public or office buildings, offices, and other places where people are employed or places catering to the public, shall operate unless there be provided for the use of any and all persons operating, patronizing, or employed therein a wash sink or lavatory, which shall be provided with or in connection to the urinals and water-closets, with an abundance of towels, water, and soap, and shall at all times be open and free to the use of persons operating in, patronizing, or employed in such places.

Garbage and Refuse—Care and Disposal of. (Reg. Bd. of H., May 16, 1913.)

264. No house refuse, offal, garbage, dead animals, decaying vegetable matter, or organic-waste matter of any kind shall be thrown upon any street, road, or public place; and no such refuse, putrescible or decaying animal or vegetable matter shall be kept in any house, cellar, or adjoining outhouses or premises for more than 48 hours in any incorporated or unincorporated city, town, village, or built-up community. All receptacles for such garbage, etc., shall be so constructed as to be of sufficient dimensions for the reception of all garbage, and shall be water-tight, made of tight-matched lumber or galvanized iron, and shall stand at least 9 inches from the ground, and be provided with a suitable cover which must be kept properly adjusted to same, so as to protect the contents from flies, insects, rats, and animals, or vermin. All garbage or refuse containers shall have their contents emptied at least once every 48 hours.

265. No filling in or making of land by the dumping of rubbish or other material shall be done within, or in the vicinity of, any incorporated or unincorporated city or town limits unless approved by the health officer having jurisdiction; and no garbage, offal, dead animal, or other vegetable, organic or putrescible matter or admixture thereof, shall be used for filling in lowlands, nor be deposited in any other places, nor in any manner, unless approved by the health officer having jurisdiction.

266. No offal, slops, or other wastes from any creamery, factory, shop, chicken house, slaughterhouse, tannery, boarding house, restaurant, laundry, meat market, or private residence, or any other source, shall be thrown or deposited, except in accordance with properly provided garbage disposal, upon any lot or land, or into any ravine or open ditch, stream, or pond, or upon any land adjoining, which is subject to overflow.

267. Any of the wastes herein mentioned, not properly disposed of as garbage and common sewage, shall be disposed of by independent disposal plants, which latter provision shall apply particularly to slaughterhouses, factories, and shops.

268. All dead animals, and all decomposed animal matter, in any city, shall be deodorized and immediately removed to dump grounds provided by the municipality, and there buried at least 3 feet under ground or incinerated.

269. The dump grounds so used shall be so located and of such a character as not to contaminate any domestic or public water supply, either by overflow or percolation.

270. No slops, offal, garbage, or manure, or any other refuse, shall at any time be deposited in any of the streets or alleys, or upon any lot in a city, except it be deposited in a regulation garbage box, as provided for in regulation 264. All property owners shall be held responsible for the sanitary condition of the alley abutting on their premises.

271. Cities having in force ordinances for the disposal of refuse and garbage equivalent to those demanded by the State board of health are not affected by these rules.

272. It shall be the duty of the city police authorities, or other sanitary police officers, to enforce the regulations as herein set forth, under the supervision of the health officer having jurisdiction.

273. All cellars, caves, and outbuildings shall be thoroughly cleansed and whitewashed at least twice each year, and all cattle yards, chicken yards, barns, or stables when in use shall be cleaned each day, and at all times kept free from all offensive odors.

Dead Animals—Disposal of Bodies of. (Reg. Bd. of H., May 16, 1913.)

274. No carcass of any dead animal, except when the same is killed for food, shall be left unburied in the State of Arkansas, nor shall it be thrown into any stream, lake, pond, well, or other body of water therein.

275. Any such carcass shall be buried by the owner so that it will be covered by at least 3 feet of earth. No carcass of any dead animal, except when the same is killed for food, shall be fed to dogs, hogs, or other animals. Burial shall be made within 24 hours after death.

276. In all cases of death from such diseases as glanders, anthrax, black leg, or black quarter; contagious pleuropneumonia or lung plague of cattle; rinder pest or cattle plague; hemorrhagic septicemia, foot-and-mouth disease, aphthous fever of cattle, southern cattle fever, or Texas fever; sheep scab, mange of cattle or horses; hog cholera or swine plague; rabies or hydrophobia; malade de coit or eldurine of horses; advanced or generalized tuberculosis, or tuberculosis of the udder, such carcasses shall be enveloped in unlaked lime.

277. At all municipal dumping grounds where carcasses are disposed of provision shall be made for their immediate burial. In lieu of the foregoing the dead bodies of animals may be burned, or disposed of in such a manner as the local health officer may direct: *Provided*, That the purpose of this regulation be not violated.

Jails, Prisons, and Lockups—Sanitation of. (Reg. Bd. of H., May 16, 1913.)

278. All jails, prisons, and lockups shall be properly ventilated and lighted.

279. The floors and walls shall be scrubbed with soap or other cleansing agent and water at least twice a week, and the ironwork painted with white lead, white zinc, or asphaltum varnish twice a year.

280. Every prisoner shall be given a shower bath at least once a week, provided there is no disease or other condition present contraindicating bathing.

281. Each and every prisoner shall be provided with soap, towel, and drinking cup.

282. Privies shall be kept in a clean and sanitary condition and connected with the sewer if within 1,000 feet of same.

283. Cells should be constructed so that each cell will be provided with outside light and ventilation.

284. All proposed plans for jails, prisons, lockups, penitentiaries, and convict camps shall be submitted for approval of their sanitary arrangements to the State health officer.

Slaughterhouses and Markets—Sanitation of. (Reg. Bd. of H., May 16, 1913.)

285. No person or persons shall build or use any slaughterhouse within the limits of any town or city in the State without the consent of the local health officer, and the keeping and slaughtering of all cattle or other animals, and the preparation and keeping of all meat, fish, birds, or other animal food, shall be in the manner best adapted to secure and continue their wholesomeness as food.

286. Every butcher, or other person, leasing or occupying any place, room, or building wherein any cattle, sheep, or swine have been or are killed or dressed; and every person being owner, lessee, or occupant of any room or

stable wherein animals are kept, or of any market, public or private, shall cause such place, room, building, stable, or market, and their yards and appurtenances to be thoroughly cleaned and purified; and all offal, blood, fat, garbage, refuse, and unwholesome or offensive matter to be removed therefrom at least once each 24 hours after the use thereof for any purpose herein referred to. All woodwork, save floors and counters, in any building, place, or premises above mentioned, shall at all times be kept thoroughly painted or whitewashed, and the floors of such building, place, or premises shall be so constructed as to prevent blood, or foul liquid, or washings, contaminating the soil by seepage, leakage, or by any other means.

287. All slaughterhouses and markets shall be supplied by a pure and wholesome water supply.

288. No person shall urinate, defecate, or commit any nuisance whatsoever in the slaughtering pens of any abattoir or slaughterhouse, or within 125 feet thereof.

289. Markets shall be well ventilated.

290. The use of sawdust, sand, or other absorbent material on the floors of markets is prohibited.

291. Each day the stalls and stands of markets shall be washed and cleaned so as to keep them in the highest state of cleanliness.

292. In every meat market each room wherein meat is handled or stored shall be completely screened at doors, windows, and other openings with wire gauze, 18-mesh per inch in either direction, and such gauze shall at all times be kept in perfect repair. No meat offered for sale shall be exposed on the street or sidewalk.

293. The floor of every meat market shall be scrubbed once daily with water and concentrated lye, or other cleansing agent, and shall be kept clean at all times.

294. All meat that is or becomes tainted, or attacked by putrefactive bacteria, shall be removed from the premises at once or destroyed, and shall not be stored in any ice chest or refrigerator.

295. Chopping blocks shall be scraped daily and counters must be thoroughly scoured; all knives, saws, and other implements must be scalded and washed thoroughly daily, and maintained at all times in a cleanly condition.

296. *Lavatories*.—(See regulation 263.)

297. *Garbage cans*.—(See regulation 264.)

298. No dogs, cats, or other animals shall be allowed in a market or slaughterhouse.

299. All dealers in foodstuffs, such as milk, meat, fish, vegetables of whatsoever kind and variety, whether to be eaten raw or cooked, fruits, candies, cakes, confections, etc., shall not expose or exhibit the same on any sidewalk or alley in the State of Arkansas; but all such food intended for human consumption and offered for sale shall at all times be kept free from contamination by dust, dirt, flies, insects, cats, dogs, or other domestic animals.

Barbers and Barber Shops—Regulations for. (Reg. Bd. of H., May 16, 1913.)

300. No owner or manager of a barber shop shall knowingly permit any person suffering from a communicable disease, or from a venereal disease in a communicable stage, to act as a barber in said shop.

301. No person who, to his own knowledge, is suffering from a communicable disease, or from a venereal disease in a communicable stage which might be conveyed to another person by contact, shall act as a barber.

302. All barber shops, together with all furniture, shall be kept in a clean and sanitary condition.

(a) Mugs, shaving brushes, razors, scissors, clipping machines, pincers, needles, and other steel instruments shall be cleaned and sterilized either by steam, boiling water, or in alcohol of at least 60 per cent strength after each separate use.

(b) Combs and brushes shall be thoroughly sterilized after each separate use.

(c) A separate clean towel shall be used for each person.

(d) Alum or other material used to stop the flow of blood shall be applied only on a towel or other clean cloth.

(e) The use of powder puffs and sponges is prohibited.

(f) Every barber shop shall be kept well ventilated and provided with hot and cold water.

(g) Head rests of chairs shall be covered with a towel that has been washed since having been used before, or by clean new paper.

(h) Every barber shall cleanse his hands immediately and thoroughly before serving each customer.

(i) No person shall use a barber shop as a dormitory, nor shall any part of the shop be so used.

(j) No barber shall undertake to treat any disease of the skin or any lesions of the skin whatsoever, such as pimples, boils, warts, moles, and the like.

Railway Cars and Stations—Sanitation of. (Reg. Bd. of H., May 16, 1913.)

303. Any person having control or charge of any railway station house or houses, and every railroad company, sleeping car company, or corporation, individual, or receiver thereof, engaged in the carrying of passengers in this State; and every agent of any such corporation or person having charge or control of such passenger cars, shall keep and maintain all such railway station houses and passenger cars in their charge as aforesaid in a clean and sanitary condition at all times.

304. Floors, platforms, and such places as are frequented by passengers shall at all times be kept clean. Dry sweeping or dusting is prohibited.

305. At railway stations receptacles, with tight-fitting tops or automatic cover devices, for waste paper, trash, fruit peelings, and any other waste matter, shall be provided, which receptacles shall be emptied and thoroughly cleaned by washing daily, or oftener if necessary.

306. *Railway stations.*—At railway stations where cuspidors are provided the cuspidor should be elevated, or of such construction that the top will be at least 20 inches above the floor, or a fountain cuspidor of special device may be provided. No spittoon less than 9 inches from bottom to top shall be provided.

307. All water-closets provided at railway stations shall have the floors and seats of toilets scrubbed with soap or other cleansing agent and hot water daily, and oftener if necessary.

308. *Day coaches.*—Day coaches shall be thoroughly cleaned at the end of each trip, and in no instance shall the day coach go uncleaned longer than two days when such coach is in service.

309. Windows and doors shall be first opened and aisle strips, if there be any, removed from the car.

310. All upholstered furniture shall be dusted and brushed, using a vacuum or other air device if possible.

311. *Cleaning.*—Dry dusting and sweeping of floors of cars and railway stations is prohibited. The floors shall be washed with water. If the car is in transit the floors shall be swept after they have been sprinkled with dampened sawdust or paper (dampened with oil or water), in order to avoid raising

any dust. The floors shall be scrubbed with soap and water at least once in every 24 hours if the car is in service. Dust is to be removed with a dampened cloth.

312. The use of the feather duster is prohibited in cars.

313. Seats, windows, and walls of cars must be wiped off with a dampened cloth while standing at division terminals or meal stations where a stop of 20 minutes or more is scheduled and the passengers are given an opportunity to leave cars during that time, and at other times during the run to keep the cars as free as possible from dust.

314. Water coolers must be emptied and scalded once each 24 hours, and shall be filled with good, wholesome drinking water when in service.

315. Ice which is used in water coolers in cars must not be dumped on floors, sidewalks, or car platforms where people have expectorated or are liable to expectorate, and before use it shall be washed and then handled with tongs.

316. The floors of closet rooms and the seats of closets shall be washed and scrubbed with soap and water and kept clean at all times, and the bowl and outlet of the commode shall be kept free of fecal deposits.

317. The smoking apartments of railway cars used for passengers must be provided with one cuspidor for each 2 passengers, according to seating capacity. Each cuspidor must contain not less than one-half pint of clear water. The contents of the cuspidors must be emptied, washed with soap and water so as to be thoroughly cleaned, and then replenished with water when again placed in use at least once every 24 hours.

318. Every sleeping car operated in the State of Arkansas shall be cleaned at the end of each run, and in no case shall any sleeping coach or car be used for a period of time longer than one week without being thoroughly cleaned. All removable seats and backs shall be dusted and cleaned outside of the car.

319. Parlor, buffet, and dining cars must be cleaned at cleaning terminals. Carpets and draperies must be removed, dusted, and sunned and aired. Food boxes, refrigerators, closets, drawers, and cupboards to be thoroughly cleansed, and refrigerators to be washed with scalding water and aired and allowed to dry before being placed in use. This shall be done at least once a week.

320. Dining cars which have been used for sleeping apartments shall be thoroughly ventilated one-half hour or more before serving meals.

321. No parlor car, dining car, or sleeping car shall be required to provide cuspidors or spittoons except in apartments set apart for smoking and dressing rooms.

322. Passengers, patrons, and employees or others are prohibited from washing their teeth over and expectorating in basins which are used for bathing the face and hands in sleeping cars, passenger cars, or railway station buildings. Large cuspidors or dental lavatories shall be provided for such purposes.

323. Brushing of passengers' clothing and hats in railway coaches, except in the unoccupied ends of cars, is prohibited.

324. It is made the duty of any person, firm, or corporation to observe the regulations herein laid down for the sanitation of any railroad coach, car, station, factory, workshop, or other public place, or place where persons are employed, and the responsibility for the disobedience of such regulations shall rest upon the foreman, overseer, or other employee whose duty it is ordinarily to see to the cleanliness or sanitation of such railroad coach, car, station, workshop, or other public place or place where persons are employed.

325. If a car has been occupied by a person having a communicable disease its contents must be thoroughly aired and cleaned immediately at the end of its run.

Communicable Diseases—Importation of—Restricting Order. (Reg. Bd. of H., May 16, 1913.)

326. No common carriers or any person shall knowingly bring into the State of Arkansas any person sick or suspected of being sick with any communicable disease subject to quarantine or isolation.

327. Whenever yellow fever, smallpox, or any other communicable disease shall exist or prevail in any city or town of any State of the United States, to such an extent as the State health officer may deem dangerous to the health of the State of Arkansas, then the State health officer may declare a restricting order against such place, and all persons entering the State of Arkansas from such infected locality shall be detained at such points at or near the border line of the State of Arkansas as may be selected by the State health officer, for observation, isolation, or treatment of the sick, and for fumigation of baggage, freight, and other articles as the case may require and as may be suitable and proper. The length of time of detention and the method of treatment of the sick and fumigation of property, freight, baggage of persons coming from such infected point shall be determined by the State health officer at the time of the declaration of such quarantine, and from time to time thereafter as may be convenient and seem expedient.

Street Cars—Sanitation and Heating of. (Reg. Bd. of H., May 16, 1913.)

328. Each and every car used upon every railway in a city or on an inter-urban line for the carrying or transportation of passengers, shall, on each and every day on which it may be used for the carrying and transportation of passengers, be carefully and thoroughly washed and cleaned in the following manner:

(a) The floors and platforms to be washed with soap or other cleansing agent, and water and all dirt removed by the use of a stiff brush.

(b) All woodwork around windows, doors, and arms of chairs shall be cleaned by washing.

329. There shall be posted in every street car in every municipality a notice conspicuously placed and sufficiently large to be easily read by the passengers, the following sign: "Do not spit on the floor; to do so may spread disease."

The penalty for violation of this regulation shall be printed on the card and may be in small type.

330. Street cars shall at all times be properly ventilated by the opening of doors, windows, and transoms.

331. Provision shall be made for the heating of cars during cold weather when the outside temperature is 40° F. or below, and the temperature shall during such weather be kept at a comfortable degree.

Transportation of Dead Bodies—Rules for. (Reg. Bd. of H., May 16, 1913.)

RULE 1. The transportation of bodies dead of smallpox or bubonic plague from, in, or into the State of Arkansas is absolutely forbidden.

RULE 2. The bodies of those who have died of Asiatic cholera, diphtheria (membranous croup), scarlet fever (scarlatina, scarlet rash), erysipelas, glanders, anthrax, or leprosy shall not be accepted for transportation unless prepared for shipment by being thoroughly disinfected by (a) arterial and cavity injection with an approved disinfectant fluid, (b) disinfecting and stopping of all orifices with absorbent cotton, (c) washing the body with the disinfectant, all of which must be done by an embalmer holding a certificate as such, approved by the Arkansas State Board of Embalmers. After being dis-

infected as above, such bodies shall be incased in an air-tight zinc, tin, copper, or lead lined coffin or iron casket, all joints and seams hermetically soldered, and all inclosed in a strong, tight wooden box. Or the body, being prepared for shipment as above outlined, may be placed in a strong coffin or casket, and said coffin or casket incased in an air-tight zinc, copper, or tin case, all joints and seams hermetically soldered, and all incased in a strong outside wooden box.

RULE 3. The bodies of those dead of typhoid fever, puerperal fever, tuberculosis, measles, epidemic cerebrospinal meningitis, anterior poliomyelitis (infantile paralysis), may be received for transportation when prepared for shipment by filling cavities with an approved disinfectant, washing the exterior of the body with the same, stopping all orifices with absorbent cotton, and all incased in an air-tight coffin or casket: *Provided*, That this shall apply only to bodies which can reach their destination within 30 hours from the time of death. In case such body can not reach destination in 30 hours it shall be prepared for transportation in compliance with rule 2, but when the body has been prepared for shipment by being thoroughly disinfected by an embalmer holding a certificate as in rule 2, the air-tight sealing may be dispensed with.

RULE 4. The bodies of those dead of diseases for causes not stated in rules 2 and 3 may be received for transportation when encased in a sound coffin or casket and inclosed in a strong outside wooden box: *Provided*, They reach their destination within 30 hours from time of death. If the body can not reach its destination within 30 hours from time of death it must be prepared for shipment by arterial and cavity injection with an approved disinfectant fluid, washing the exterior of the body with the same, stopping all orifices with absorbent cotton, and incased in an air-tight coffin or casket. But when the body has been prepared for shipping by being thoroughly disinfected as in rule 2, the air-tight sealing may be dispensed with.

RULE 5. In the shipment of bodies dead from any disease named in rule 2 the body must not be accompanied by persons or articles which have been exposed to the infection of the disease, unless certified by the health officer as having been properly disinfected; and before selling passage tickets agents shall carefully examine the transit permit and note the name of the passenger in charge and any others proposing to accompany the body and see that all necessary precautions have been taken to prevent the spread of disease. The transit permit in such cases shall specifically state who is authorized by the health authorities to accompany the remains. In all cases where bodies are forwarded under rule 2 notice must be sent by telegraph to the health officer at destination advising the date and train on which the body may be expected. This notice must be sent by the shipping undertaker to the health officer at the destination.

RULE 6. Every dead body must be accompanied by a person in charge, who must be provided with a passage ticket and also a full first-class ticket marked "Corpse" for the transportation of the body, and a transit permit and a removal permit issued by the local registrar of the municipality or township in which the death occurred, giving the place of death, name of the deceased, age, sex, color, or race, date and hour of death, cause of death, including the name of the physician or coroner signing the death certificate, the point to which the body is to be transported, and when death is caused by any of the diseases specified in rule 2 the name of person authorized by the health officer to accompany the body; also the name of the undertaker shipping the body, over the signature of the local registrar and certificate of the shipping undertaker, stating that the body has been prepared strictly in accordance with the rule under which the shipment was made. The transit permit unfolded must

be tacked on the top of the outside box. The removal permit shall be handed to the passenger in charge of the corpse. All outside boxes must be fitted with at least six handles, two on each side and one on each end.

RULE 7. When dead bodies are shipped by express the removal and transit permits shall be tacked unfolded upon the top of the outside box.

RULE 8. Disinterred bodies of persons who have died of any disease or cause shall be treated as infectious or dangerous to the public health and shall not be sent for transportation in or removal from this State unless said removal has been approved by the State health officer, and no such body shall be brought into Arkansas without the approval of the public health authorities having jurisdiction of the place where such body is disinterred, and no such bodies shall be transported, received, or buried in this State unless satisfactory evidence of compliance with the rules of this board respecting the same shall be submitted to the State health officer and his written consent obtained to such transportation, receipt, or burial. All such disinterred remains shall be inclosed in an hermetically soldered zinc, tin, or copper-lined box. But bodies deposited in receiving vaults shall not be treated the same as buried bodies when originally prepared by a licensed embalmer as defined in rule 2, provided the shipment takes place within 30 days from the time of death. The shipment of bodies prepared in the manner above directed by a licensed embalmer from receiving vaults may be made within 30 days from time of death without the necessity of obtaining permission from the health authorities of the locality to which the body is consigned. After 30 days the casket or coffin box containing said body must be inclosed in an hermetically soldered box.

Births and Deaths—Registration of. (Reg. Bd. of H., May 16, 1913.)

Under authority of sections 7 to 10,¹ inclusive, of the act of February 25, 1913, which were published in the Public Health Reports for May 30, 1913, at page 1108, the State Board of Health of Arkansas, on May 16, 1913, adopted rules governing the registration of births and deaths. The act and the rules taken together provide for the standard system of registration which has been adopted in a number of States. (North Carolina, Public Health Reports, Oct. 24, 1913, pp. 2264-2274;² New York, Public Health Reports, Dec. 19, 1913, pp. 2796-2806;³ Tennessee, Public Health Reports, Nov. 14, 1913, pp. 2444-2452.⁴)

The State health officer is made registrar of vital statistics, and he is given authority to appoint and remove local registrars.

The rules provide that the name of the putative father of an illegitimate child "shall not be entered [on the certificate of birth] without his consent, but the other particulars relating to the putative father may be entered if known, otherwise as 'unknown.'"

The following question is added to the certificate of birth: "Were precautions taken against ophthalmia neonatorum? If none, state the reasons therefor."

¹ Page 30.

² Page 349.

³ Page 326.

⁴ Page 460.

CALIFORNIA.

Communicable Diseases, Investigation and Control of—Destruction of Rats, Insects, and other Vermin. (Chap. 422, Act June 7, 1913.)

SECTION 1. The sum of \$100,000 is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, to be expended by the State board of health, under the direction of the governor, for the prevention of the introduction of Asiatic cholera, bubonic plague, smallpox, or other contagious or infectious disease into this State, and for their investigation and suppression in case of their origin or introduction. The claims for such expenditures must be audited by the board of control, except that when, in the opinion of the governor, an emergency arises which demands or necessitates the immediate use of money for the purposes herein provided, the controller must draw his warrant in the name of the governor without such audit, on account of the sum hereby appropriated, upon the order of the governor, in such sums from time to time, not exceeding \$1,000 at any one time, as he may direct. In cases where sums are so drawn upon the order of the governor, without audit by the board of control, vouchers must be thereafter filed with the controller, showing the manner and the purposes for which such sums have been expended. Such portion of the sum provided by this section as may be deemed advisable by the State board of health and approved by the governor may be used in accordance with the provisions of this section and section 2, provided that all expenditures connected therewith shall be audited by the board of control and paid by the State treasurer upon warrants drawn by the controller in accordance with the provisions of this section.

SEC. 2. Whenever any land, place, building, structure, wharf, pier, dock, vessel, or water craft is infested with rodents, insects, or other vermin which are liable to convey or spread contagious or infectious disease from an existing focus declared by the State board of health, it shall be the duty of said board to at once notify the person, firm, copartnership, company, or corporation owning said land, place, building, structure, wharf, pier, dock, vessel, or water craft of the existence of said rodents, insects, or other vermin, and said notice shall direct said owner to proceed immediately to exterminate and destroy said rodents, insects, or other vermin and to continue in good faith such measures as may be necessary to prevent their return. In the event that said owner fails, refuses, or neglects to proceed as above provided within 10 days from date of receipt of said notice, the State board of health may at once proceed to exterminate and destroy said rodents, insects, or other vermin and take such measures as may be necessary to prevent their return, and the cost of the above measures shall be repaid to the State board of health by the board of supervisors or other governing body of the county, city and county, city or town wherein the work is done at its next meeting after the bill is presented, and the appropriation provided in section 1 of this act shall be reimbursed by the amount so paid, and may be again expended in a similar manner.

SEC. 3. Whenever a board of supervisors or other governing body of any county, city and county, city or town, shall have repaid the State board of health any sum as provided in section 2, the clerk of such board shall file in the office of the county recorder a notice of such payment, claiming a lien on such property for the amount of such payment. Any and all sums so paid by such county, city and county, city or town, shall be a lien on the property on which such rodents, insects, or other vermin shall have been exterminated and destroyed, and may be recovered in an action against such property, which action to foreclose such lien shall be brought within 90

days after such payment, and be prosecuted by the district, city, or town attorney in the name of such county, city and county, city or town, and for its benefit. When the property is sold, enough of the proceeds shall be paid into the treasury of such county, city and county, city or town, to satisfy such lien and the costs and overplus, if any there be, shall be paid to the owner of the property, if known, and if not known shall be paid into the court for the use of such owner when ascertained. When it appears from the complaint in such action that the property on which such lien is to be foreclosed is likely to be removed from the jurisdiction of the court, the court may appoint a receiver to take possession of the property and hold the same while the action may be pending or until the defendant shall execute and file a bond, with sufficient sureties, conditioned for the payment of any judgment that may be received against him in the action and all costs.

Plague—Destruction of Rodents, Insects, and Other Vermin. (Res. Bd. of H., Aug. 20, 1913.)

Whereas there has been found within the territory comprised in the counties of Contra Costa, Alameda, Santa Clara, Santa Cruz, Monterey, San Benito, Merced, Stanislaus, and San Joaquin, of the State of California, a total of 1,843 ground squirrels (*Citellus beecheyi*) which have been proven by laboratory investigation to have been infected with a contagious and infectious disease, to wit, bubonic plague; and

Whereas an act of the Legislature of the State of California, approved June 7, 1913, provides: "Whenever any land, place, building, structure, wharf, pier, dock, vessel or water craft is infected with rodents, insects, or other vermin which are liable to convey or spread contagious or infectious disease from an existing focus declared by the State board of health, it shall be the duty of said board to at once notify the person, firm, copartnership, company or corporation, owning said land, place, building, structure, wharf, pier, dock, vessel, or water craft of the existence of said rodents, insects, or other vermin and said notice shall direct said owner to proceed immediately to exterminate and destroy said rodents, insects or other vermin, and to continue in good faith such measures as may be necessary to prevent their return. In the event that said owner fails, refuses, or neglects to proceed as above provided, within 10 days from date of receipt of said notice, the State board of health may at once proceed to exterminate and destroy said rodents, insects, or other vermin, and take such measures as may be necessary to prevent their return, and the cost of the above measures shall be repaid the State board of health by the board of supervisors or other governing body of the county, city and county, city, or town wherein the work is done at its next meeting after the bill is presented, and the appropriation provided in section 1 of this act shall be reimbursed by the amount so paid, and may be again expended in a similar manner:" Therefore, be it

Resolved, That the territory comprised within the aforesaid counties is hereby declared to be an existing focus of contagious and infectious disease; and be it further

Resolved, That the secretary of this board be directed to notify the supervisors of the above-named counties of the passage of this resolution, and of the intention of the State board of health to proceed in accordance with the provisions of the act of the State legislature, approved June 7, 1913.

Antirabic Virus—Distribution Free of Cost. (Chap. 391, Act June 13, 1913.)

SECTION 1. The State board of health is hereby empowered and directed to purchase, or prepare, and distribute free of cost, under such regulations as may be necessary, antirabic virus to be used in the treatment of persons exposed to rabies when said persons shall declare that it would be a hardship for them to pay for antirabic treatment.

SEC. 2. The sum of \$5,000 is hereby appropriated for the purposes of this act.

Rabies and Other Animal Diseases Dangerous to Human Beings—Quarantine—Investigation—Killing of Animals—Dog License Tax. (Chap. 369, Act June 13, 1913.)

SECTION 1. Whenever any case or cases of rabies, or other animal diseases dangerous to the health of human beings which may be declared by the State board of health as coming under the provisions of this act, shall be reported as existing in any county, city and county, or incorporated city or town in the State of California, the State board of health shall make, or cause to be made, a preliminary investigation as to whether such disease does exist, and as to the probable area of the State in which the population or animals are thereby endangered. If upon such examination the State board of health shall find that any of the said diseases does exist, a quarantine shall be declared against all such animals as may be designated in the quarantine order and living within the area specified in said order. Quarantine shall be defined for the purposes of this act as meaning the strict confinement, upon the private premises of the owners under restraint by leash or closed cage or paddock, of all animals specified by the order.

SEC. 2. Following the order of quarantine the State board of health shall make, or cause to be made, a thorough investigation as to the extent of the disease, the probable number of persons and animals exposed, and the area found to be involved, and may substitute for the quarantine order such regulations as may be deemed adequate for the control of the disease in each area.

SEC. 3. It shall be the duty of all peace officers and boards of health to carry out the provisions of this act. During the period for which any quarantine order is in force all officers are empowered to kill or, in their discretion, to capture and hold for further action by the State board of health or its representatives all animals in a quarantine area found on public highways, lands, and streets, or not held in restraint on private premises, as specified in this act.

SEC. 4. All proper officials within the meaning of this act are hereby authorized to examine and enter upon all private premises for the enforcement of this act.

SEC. 5. Any owner or other person in the possession of any animal then being held or maintained in violation of the provisions of this act shall be subject to arrest on the charge of committing a misdemeanor.

SEC. 6. For the purpose of providing funds to pay the expenses incurred in connection with the eradication of diseases included under this act a special fund, to be known as the rabies treatment and eradication fund, is hereby created for each county, city and county, or incorporated city or town in the State of California. All moneys collected in accordance with the following procedure shall be deposited to the credit of this fund with the treasurer of the county, city and county, or incorporated city or town: *Provided*, That funds now collected from any dog tax may continue to be collected and used for other purposes specified by local ordinances.

(a) Upon the determination by the State board of health that rabies does exist in any county, city and county, or incorporated city or town, a special dog license tax shall immediately become effective unless a dog tax is already in force the funds from which are available for the payment of expenditures in accordance with the provisions of this act. This tax shall be levied as follows: An annual tax of \$1.50 for each male, \$2.50 for each female, and \$1.50 for each neuter dog, the same to be collected by the proper authority at the same time and in the same manner as other taxes are collected: *Provided, however*, That there shall be collected at the first collection such proportion of the annual tax as corresponds to the number of months the tax has been in operation plus one year advance payment. After this dog license tax has been established in a county, city and county, or incorporated city or town, it shall be continued in force until an order has been issued by the State board of health declaring that county, or such portion of that county as may be deemed advisable, to be free from rabies or further danger of its spread.

(b) One-half of all fines collected by any court or judge for violations of the provisions of this act shall be placed to the credit of the rabies treatment and eradication fund of the county, city and county, incorporated city or town in which the violation occurred.

SEC. 7. Whenever it becomes necessary in the judgment of the State board of health or its secretary to enforce the provisions of this act in any county, city and county, or incorporated city or town, the said board or its secretary may institute special measures of control to supplement the efforts of the local authorities in any county, city and county, or incorporated city or town whose duties are specified in this act. All expenditures incurred in enforcing such special measures shall be proper charges against the special fund created by the provisions of this act and shall be paid as they accrue by the proper authorities of each county, city and county, or incorporated city or town in which they have been incurred: *Provided*, That all such expenditures which may be incurred after the issuance of the order establishing the said fund and before the first collection of the tax shall be paid as they accrue from the general fund of the county, city and county, or incorporated city and town: *And provided further*, That all expenditures in excess of the balance of money in this fund shall likewise be paid as they accrue from said general fund. All moneys thus expended from the general fund shall be repaid from the said special fund when the collections from said tax have provided the money.

Rabies—Control of—Quarantine of Animals. (Reg. Bd. of H., Oct. 4, 1913.)

RULE 1. Any person owning, or having the charge of, or observing, any animal which he shall know or suspect to be affected with rabies shall immediately confine such animal, if this can be brought about with reasonable safety, and shall at once give notice to the local health authority of the whereabouts of such animal and the reasons for believing it to be affected with rabies.

RULE 2. Every local health authority upon receiving information of the existence of rabies must immediately make an investigation and within 24 hours thereafter must report fully in writing to the State board of health, except as provided in rule 4.

RULE 3. Animals confined under suspicion of having rabies shall be kept under proper care and observation and shall not be killed or released until 10 days shall have elapsed, dating from the beginning of the confinement. If the animal dies or has been killed under suspicion of having rabies, its head shall be sent to the State or municipal laboratory for examination.

RULE 4. When the State board of health shall declare a quarantine against certain designated animals within a specified area, on account of the existence of rabies, all such animals within such area shall be kept in strict confinement upon the private premises of the owners under restraint by leash or closed cage or paddock. In areas already under quarantine, or special regulations substituted for quarantine (chap. 369, sec. 2, statutes of 1913¹), the provisions of rule 3 may be abridged or modified at the discretion of the local health authority and the reports required in rule 2 may be made monthly, unless the State board of health shall specify to the contrary.

RULE 5. If the State board of health, after the establishment of quarantine, substitutes for rule 4 such regulations as may be deemed adequate (sec. 2, chap. 369, statutes of 1913¹), failure to enforce such substitute regulations strictly will be followed by a return to the enforcement of the full regulations of quarantine (see rule 4) or such changes in the regulations as may be deemed advisable by the State board of health.

RULE 6. When established, the quarantine period inclusive of the time during which regulations may be substituted for quarantine must cover a continuous period of six months before the State board of health will consider release from quarantine or from the substituted regulations.

¹ See page 66.

RULE 7. When an area has been declared by the State board of health to be under quarantine, or regulations substituted for quarantine, on account of rabies, no dog shall be taken or allowed to go into or out of such area, except upon presentation of a written permit from the secretary of the State board of health, or a representative authorized by the State board of health to issue permits under certain conditions prescribed by the board.

RULE 8. It is the duty of all peace officers and local health authorities to enforce the requirements of the quarantine or regulations declared by the State board of health. (See secs. 3, 4, and 5, chap. 369, statutes of 1913.)¹

RULE 9. During such time as the quarantine, declared by the State board of health or the regulations substituted by the board, shall be in force in an area, each treasurer of a county, city and county, or incorporated city or town, situated in whole or in part in the area specified, will be expected to make a monthly report to the State board of health, stating the methods and amounts of the collections and disbursement of the moneys of the rabies treatment and eradication fund, and the total amount of money on hand in the fund. (See secs. 6 and 7, chap. 369, statutes of 1913,² regarding the establishment of the fund.)

Tuberculosis—Department of, Under State Board of Health. (Chap. 385, Act June 13, 1913.)

SECTION 1. The State board of health shall maintain a department of tuberculosis for the complete and proper registration of all tuberculous persons within the State; for supervision over all hospitals, dispensaries, sanatoria, farm colonies, and other institutions for tuberculosis; for advising officers of the penal and charitable institutions regarding the proper care of tuberculous inmates; and for the performance of such other duties as may be assigned by the said board.

SEC. 2. The State board of health shall appoint a director of the department whose salary shall be fixed by the board in an amount not to exceed \$3,000 per annum, and such other employees as may be deemed necessary, and shall fix their compensation. The director shall be a duly licensed physician, shall be appointed an assistant secretary of the State board of health, and shall devote his entire time to the duties assigned to him. In addition to the administration of the department, it shall be the duty of the director, and he is hereby invested with full power, to inspect and investigate, and have access to all records and departments of all institutions, both public and private, where tuberculous patients are treated. He shall prepare annually for each institution a report of its rating on sanitary construction, enforcement of sanitary measures, adequate provision for medical and nursing attendance, provision for proper food, and such other matters of administration as may be designated. The director and other employees of the department shall be allowed their actual and necessary traveling expenses incurred in the performance of their duties.

SEC. 3. There shall be an advisory board of four members appointed by the governor for a term of four years: *Provided*, That the first appointees shall be designated, respectively, for one, two, three, and four years. These members shall be selected for their recognized ability and interest in the control and eradication of tuberculosis. The advisory board may meet at least quarterly for conference with the State board of health. All recommendations for appointments, promotions, dismissals, increases of salaries, special expenditures, rules and regulations to be issued by the department and other important matters of policy must be submitted to the advisory board before final action, and its written opinions must be recorded with each action: *Provided*, That a majority vote by mail ballot may be recognized as complying with the provisions of this section. In all matters of action in which the approval of the advisory board is withheld, the State board of health must file a report with the governor,

¹ See page 66.

² See pages 66-67.

stating the reasons for action and attaching thereto a copy of the adverse opinion. The advisory board may make at any time such recommendations regarding the policy of the department as it may decide by vote to be expedient, but no recommendations for appointments, promotions, or dismissals may originate with it. The advisory board shall elect from its members a chairman who shall serve for one year, and until his successor shall be elected. In addition to the quarterly conferences with the State board of health, the said board may, upon its own volition, meet annually in the offices of the department, and special meetings may be held at any time or place subject to the call or approval of the State board of health, or its secretary. The director of the department shall serve as secretary for the advisory board. The members shall receive no salary, but may receive their actual and necessary traveling expenses while in the service of the department.

SEC. 4. The sum of \$7,500 is hereby appropriated out of any money in the State treasury not otherwise appropriated to be expended by the State board of health in carrying out the provisions of this act. All claims against this appropriation shall be audited by the State board of control. The controller is hereby directed to draw his warrants for sums aggregating this amount and the State treasurer is directed to pay the same.

State Board of Health—Meetings and Officers. (Chap. 114, Act May 19, 1913.)

SECTION 1. Section 2981 of the Political Code is hereby amended to read as follows:

"2981. The board must meet at least once in every three months at Sacramento, unless otherwise hereafter provided by law. Four members shall constitute a quorum for the transaction of any business. Special meetings may be held upon the call of the president or secretary. Notice of all meetings must be given by the secretary by mailing such notice to the members of the board at least three days prior to the date of such meetings. The members must elect from their own number a president, a vice president, and a permanent secretary. In the absence of the secretary, or a vacancy in his office, the vice president shall perform the duties of and exercise the powers of the secretary. The secretary shall be a civil executive officer and shall also be the executive officer of the board. He must devote his entire time to the duties of the office, and his office shall be kept at the same place where the meetings of the State board of health are required by law to be held. The members of the board shall receive their actual and necessary traveling expenses while in the service of the board. Such expenses shall be paid out of the general fund of the State treasury."

Appropriation—State Board of Health. (Chap. 680, Act June 10, 1913.)

(These appropriations cover a period of two years, beginning July 1, 1914.)

Salary of secretary to State board of health.....	\$7,200
Salary of assistant secretary.....	4,800
Salary of attorney to State board of health.....	6,000
Salary of statistician, State board of health.....	4,800
Salary of deputy statistician, State board of health.....	3,200
Salary of two copyists.....	3,600
Payment of fees for reporting and investigating occupational diseases.....	2,000
Salary of clerk, State board of health.....	3,200
Salary of director, food and drug laboratory, State board of health.....	6,000
Salary of assistant director, food and drug laboratory, State board of health.....	3,000
Traveling and contingent expenses, State board of health.....	7,500
Support of State hygienic laboratory for bacteriological work, State board of health.....	20,000
Support of pure food and drug laboratory, State board of health.....	45,000
Printing, etc., State board of health.....	8,000
Salary of director of hygienic laboratory.....	6,000
Salary of sanitary engineer.....	6,000
Salary of stenographer.....	2,400
Expense of engineering division.....	2,000

Sanitary Districts—Establishment and Maintenance of. (Chap. 199, Act May 29, 1913.)

SECTION 1. Section 22½ of an act entitled "An act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891, is hereby amended to read as follows:

"SECTION 22½. The boundaries of any sanitary district may be altered and outlying contiguous territory in the same county as such sanitary district annexed thereto in the manner following:

"A petition signed by the owner or owners representing more than one-half of the assessed valuation of such contiguous territory proposed to be annexed, as shown by the last equalized assessment book of the county in which said sanitary district is situated, designating specifically the boundaries of such contiguous territory proposed to be annexed, and the assessed valuation thereof as shown by said last equalized assessment book, and stating that such territory is not within the limits of any other sanitary district, and asking that such territory be annexed to said sanitary district, shall be presented to the sanitary board thereof, together with a duly executed bond for the sum of not less than \$100, to be approved by said sanitary board and filed with the county treasurer as security for the payment by said petitioners of the reasonable costs of the election hereinafter provided for in the event that at said election less than two-thirds of the votes cast are in favor of the annexation of the proposed territory to the sanitary district.

"When such petition is presented and a bond approved and filed as above provided for, the sanitary board must within 30 days thereafter order that an election be held for the purpose of determining whether or not such proposed territory shall be annexed. The order must fix the day of such election, which must be within 60 days from the date of the order and must show the boundaries of the proposed district. This order shall be entered in the minutes of the sanitary board and shall be conclusive evidence of the due presentation of a proper petitioner and of the fact that each of the petitioners was at the time of the signing of the petition and the presentation thereof a resident and freeholder within the limits of the proposed district to be annexed.

"A copy of such order shall be posted for four successive weeks prior to the election in three public places within the proposed district and shall be published for four successive weeks prior to the election in some newspaper published in the district, if there be one, and if not, in some newspaper published in the county. It shall be sufficient if the order be published once a week. At any time prior to the day fixed for the election the board shall select one and may select two polling places within the sanitary district, appoint officers of election, and make all necessary and proper arrangements for holding the election. The ticket shall contain the words, 'For annexation to the sanitary district,' and 'Against annexation to the sanitary district.' The election shall be conducted in accordance with the general election laws of the State, so far as the same shall be applicable, except as herein otherwise provided. Every qualified elector resident within the district for the length of time necessary to enable him to vote at a general election shall be entitled to vote at the election above provided for. After the votes shall have been announced the ballots shall be sealed up and delivered to the secretary or president of the sanitary board, which shall, as soon as practicable, proceed to canvass the same and shall enter the result upon the minutes. Such entry shall be conclusive evidence of the fact and regularity of all prior proceedings of every kind and nature provided by this act or by law and of the facts stated in such entry.

"If at said election less than two-thirds of the votes cast be in favor of the annexation to the proposed territory to the sanitary district, the signers of said petition shall, within 10 days after canvassing of the votes of said election, pay to the sanitary board a sum of money covering the reasonable costs of said election, and if said sum of money is not so paid within 10 days as aforesaid, the sanitary board shall have the right of action under said bond to recover the reasonable costs of said election, and the sanitary board shall by order disapprove said petition and enter the same in the minutes of said board and no other proceedings shall be taken in relation thereto until the expiration of one year from the presentation of said petition except to collect the costs of said election as herein provided, and if at such election two-thirds of the votes cast be in favor of the annexation of the proposed territory to the sanitary district, the sanitary board shall pay the expenses of said election from the proper funds of the sanitary district, and shall make and cause to be entered in the minutes of said board and indorsed on said petition an order approving said petition, and said petition shall thereupon be transmitted to and filed with the board of supervisors of the county in which such sanitary district is situated. Said board of supervisors, at its next regular meeting after the filing of said petition, shall by an order alter the boundaries of said sanitary district and annex thereto the contiguous territory described in said petition. Such order shall be conclusive evidence of the validity of all prior proceedings leading to such annexation and recited in said order, and from and after the same such territory shall become and be a part of such sanitary district. The property within such territory so annexed shall be taxed, together with the remainder of said district, to pay its proportion of the unpaid bonded or other indebtedness of such sanitary district existing at the time of such annexation incurred for the cost of construction, estimated as hereafter provided, of main sewers already constructed in said district, and also to pay the running expenses of said district. The engineer of such district shall, when required by the sanitary board thereof, estimate the unpaid cost of construction of all main sewers, already constructed in said district at the time of such annexation, and such estimate when approved by the sanitary board shall be final and conclusive and shall be the basis upon which said sanitary board shall tax said annexed territory.

"At any time after the annexation of such contiguous territory the sanitary board may, by an order entered in the minutes, call an election within such annexed territory for the purpose of determining whether bonds shall be issued for the construction of sewers therein. Such order shall fix the day of the election and shall specify the amount of money to be raised, and shall state in general terms the purposes for which it is to be raised. A copy of such order shall be posted for four successive weeks prior to the election in at least three public places within such annexed territory in said district, and shall be published for four successive weeks prior to the election in some newspaper published within the district, if there be one, and if not, in some newspaper published in the county. It shall be sufficient if the order be published once a week.

"At any time prior to the day fixed for the election the board shall select one polling place within said annexed territory, appoint officers of election therein, and make all necessary and proper arrangements for holding the election. The tickets shall contain the words 'For the issuance of bonds as proposed by the sanitary board' or 'Against the issuance of bonds as proposed by the sanitary board.'

"The election shall be conducted in accordance with the general election laws of the State so far as the same shall be practicable, except as herein otherwise provided.

"Every qualified elector, resident within such annexed territory for the length of time necessary to enable him to vote at a general election, shall be entitled to vote at the election above provided for.

"After the votes shall have been announced, the ballots shall be sealed up and delivered to the secretary or president of the sanitary board, which shall, as soon as practicable, proceed to canvass the same, and shall enter the result on its minutes. Such entry shall be conclusive evidence of the fact and regularity of all the prior pro-

ceedings of every kind and nature provided by this act or by law, and of the facts stated in such entry; and if at such election two-thirds of the votes cast be in favor of the issuance of bonds as proposed by the sanitary board, the said board shall thenceforth have full power and authority to issue and dispose of bonds as proposed in the order calling the election.

"All bonds so issued shall be of such denomination as the sanitary board may determine, except that no bonds shall be of a less denomination than \$100 nor of a greater denomination than \$1,000. Such bonds shall be payable in gold coin of the United States at the office of the county treasurer of the county wherein said district is situated and shall bear interest at a rate not exceeding 5 per cent per annum, which interest shall be payable semiannually in like gold coin. Not less than one-twentieth part of the total issue of bonds shall be payable each year on a day to be specified by the sanitary board, but no bond shall be payable in installments, but each bond issued hereunder shall be payable in full on the date specified therefor by said board. Each bond shall be signed by the president and countersigned by the secretary of the sanitary board, and said bonds shall be numbered consecutively beginning with No. 1, and shall have coupons attached referring to the number of the bond to which they are attached, which coupons shall be signed by the president and countersigned by the secretary of said board.

"The bonds must be disposed of by the sanitary board in such manner and in such quantities as may be determined by such board in its discretion, but no bond must be disposed of for less than its face value.

"The proceeds of such sale shall be deposited with the county treasurer and shall be by him placed in the fund to be called 'the sewer construction fund of annexed territory of sanitary district' (naming it). The money in such fund shall be used for the purposes indicated in the order calling the election upon the question of the issuance of the bonds, and for no other purpose: *Provided*, That if after such purposes are entirely fulfilled any balance remains in such fund, such balance may by the order of the sanitary board be transferred to the 'bond, interest, and redemption fund' for the redemption of bonds and the payment of interest thereon, issued under the provisions of this section.

"If the result of the election be against the issuance of bonds no other election upon the question shall be called or held for a period of one year.

"It is hereby made the duty of the sanitary board to levy each year upon the property within the said annexed territory a sufficient tax to pay off the interest accruing upon said bonds for the respective year as each falls due, and also to pay at least one-twentieth of the principal of said bonds, so that the entire amount of the principal and interest of said bonds shall be paid within 20 years from the date of the issuance of said bonds; and it is hereby made the duty of the tax collector, or such other person as may be charged with the duty of collecting the sanitary district taxes, to collect the tax so to be levied, and the duty of the sanitary board to order the same paid in manner and form as provided by this act, and the duty of the county treasurer to pay the same. If, for any reason, any portion of the tax for any year remains unpaid, and in consequence thereof any portion of the interest or principal due for any year remains unpaid, the same shall be added to and levied for the next year, and be collected and paid accordingly.

"The payment of the whole amount of the principal and interest of all of said bonds, within 20 years from their issuance, is hereby made the imperative duty of the annexed territory; and, if necessary for that purpose, a special tax shall be levied by the sanitary board on the property situate in said annexed territory; and it is hereby made the duty of every officer and board to do his respective part toward the levy, collection, and payment of such tax; and mandamus shall issue from the superior court of the county in which the district is situated, or from any other competent court, upon the application of any party interested for the purpose of compelling the performance of the duty imposed by this act upon any and all boards and officers.

"If the result of any election upon the question of the issuance of bonds for such annexed territory be in favor of such issuance, the sanitary board may, in their discretion, before such issuance, commence in the superior court of the county a special proceeding to determine their right to issue such bonds and the validity thereof, similar to the proceedings in relation to irrigation bonds provided for by an act entitled 'An act supplemental to "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property, and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, and to provide for the examination, approval, and confirmation of proceedings for the issue and sale of bonds issued under the provisions of said act,' and all the provisions of said act shall apply to and govern the proceedings so to be commenced by the sanitary board, so far as the same are applicable; and said proceedings shall be in accordance with the provisions of said act so far as the same are applicable, and the judgment in such proceedings shall have the same effect as a judgment in relation to irrigation bonds under the provisions of said act."

SEC. 2. All acts and parts of acts in conflict with this act, or any portion thereof, are hereby repealed.

Water for Domestic Use—Permit Required for Furnishing—Investigation by State Board of Health. (Chap. 373, Act June 13, 1913.)

SECTION 1. It shall be unlawful for any person, firm, corporation, public utility, municipality, or other public body, institution, or corporation to furnish or supply or to continue to furnish or supply for domestic uses or purposes water which is polluted or dangerous to health, to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution, or industrial camp.

SEC. 2. Whenever any person, firm, corporation, public utility, municipality, or other public body, institution, or corporation shall desire to furnish or supply or continue to furnish or supply water for domestic uses or purposes to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution, or industrial camp, it or he shall file as herein provided with the State board of health a petition for permission so to do, together with a statement containing a general description and history of the existing or proposed water-supply system or distribution, showing the geographical location thereof with relation to the source of the water supply and all the sanitary and health conditions surrounding and affecting said supply, and the works, system, plant, and distributing system, such general statement to be in such form and to cover such matters as the State board shall prescribe. Thereupon a thorough investigation of the proposed or existing works, system, plant, water supply, and all other circumstances and conditions by it deemed to be material may be made under the direction of the State board of health: *Provided*, That if such investigation is decided upon and for any reason the board can not immediately proceed with such investigation, a temporary permit shall be issued to the petitioner, which shall continue in force until the final action is taken by the board upon the completion of the investigation herein specified: *And provided further*, That no person, firm, or corporation supplying water for domestic purposes or use on his or its private property upon which there is no industrial camp, hotel, temporary or permanent resort using said water, or supplying less than 200 service connections, shall be required to apply for a permit under the provisions of this section, except upon formal complaint filed with the State board of health by a person receiving such water or by some duly authorized public officer.

As a part of such investigation, and after 10 days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn

by the person conducting the hearing, and evidence, oral and documentary, may be received, a record of which shall be made and filed with said board. All of the expenses of such investigation, including hearings, excepting the compensation of State officers participating therein, shall be borne, and paid as they accrue, by the petitioner. Upon the completion of such investigation, said board:

(a) If it shall determine, as a fact, that the water being furnished or to be furnished or supplied is such that under all the circumstances and conditions it is or may constitute a menace or danger to the health or lives of human beings, or that under all the circumstances and conditions the existing or proposed works, system, plant, or water supply is unhealthful or insanitary, it shall deny the prayer of such petition: *Provided, however,* That in case such petition shall be for permission to continue to furnish or supply water from a water system permanently constructed, established, and operating prior to the passage of this act, said board may grant the petitioner a temporary and revocable permit, authorizing the continuance of the water supply, under such restrictions and conditions as in said permit may be specified, to enable the petitioner to appoint an expert or commission to investigate and report on the best method of water supply, and to construct and put into operation a new or altered system, plant, water supply or distributing system, or to so alter, add to, repair, or modify the operation of the existing water supply, plant, works, or system that the water furnished or supplied shall not endanger the lives or health of human beings.

(b) If it shall determine, as a fact, that the water being furnished or supplied to such human beings is such that, under all the circumstances and conditions, it does not endanger the lives or health of human beings, and that under all the circumstances and conditions the water being supplied is the purest and most healthful obtainable or securable under all the circumstances and conditions, it shall grant to petitioner a permit authorizing petitioner to furnish or continue to furnish or supply such water to such human beings: *Provided, however,* That all permits issued hereunder shall be revocable or subject to suspension by said board at any time that it shall determine, as a fact, that the water being supplied or furnished or intended to be supplied or furnished does or will endanger the lives or health of human beings.

The State board of health and its inspectors shall at any and all reasonable times have full power and authority to, and shall be permitted to, enter into and upon any and all places, property, inclosures, and structures for the purpose of making and therein or thereon to make examinations and investigations to determine whether any provision of this act is being violated. The holder of any permit granted by said board under the provisions of this act may at any time by order of said board be required to furnish to said board, upon demand, a complete report upon the condition and operation of the water supply, plant, works, or system owned, operated, or controlled by it, which report shall be made by some competent person designated for the purpose by said board and at the sole cost and expense of the holder of the permit. Any person, firm, corporation, public utility, municipality, or other public body, institution, or corporation who shall furnish or supply or continue to furnish or supply water used or intended to be used for human consumption or for domestic purposes without having an unrevoked permit from the State board of health so to do, as in this act provided, may be enjoined from so doing by any court of competent jurisdiction at the suit of any person or persons, firm, corporation, municipal, or other public corporation whose supply of water for human consumption or for domestic purposes is taken or received from or supplied or furnished by any such water furnishing or distributing person, firm, corporation, public utility, or municipality or other public body, institution, or corporation; or it or he may be enjoined at the suit of the State board of health in the same manner: *Provided further,* That any such person, firm, corporation, public utility, municipality, or other body, institution, or corporation subject to the provisions of this act may file such petition at any time prior to January 1, 1914, unless sooner required so to do by order

of said State board of health. Anything done, maintained, or suffered in violation of any of the provisions of this act shall be deemed to be a public nuisance, dangerous to health, and may be summarily abated in the manner provided by law; and it shall be the duty of all and every public officer or officers, body or bodies lawfully empowered so to do to immediately abate the same.

Water Supplies, Pollution of—Discharge of Sewage, etc. (Chap. 374, Act June 13, 1913.)

SECTION 1. Section 3 of an act entitled "An act for the preservation of the public health of the people of the State of California, and empowering the State board of health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, as amended April 1, 1911, is hereby amended to read as follows:

"Sec. 3. Whenever any county, city and county, city, town, village, district, community, institution, person, firm, or corporation shall desire to deposit or discharge or to continue to deposit or discharge into any stream, river, lake, or tributary thereof, or into any other waters used or intended to be used for human or animal consumption or for domestic purposes, or into or upon any place the surface or subterranean drainage from which may run or percolate into any such stream, river, lake, tributary, or other waters, any sewage, sewage effluent, or other substance by the terms of section 2 of this act forbidden so to be deposited or discharged, or whenever any such county, city and county, city, town, village, district, community, institution, person, firm, or corporation shall desire to deposit or discharge, or continue to deposit or discharge any sewage, sewage effluent, trade wastes, or any other animal, mineral, or vegetable matter or substance, offensive, injurious, or dangerous to health in any of the salt waters within the jurisdiction of this State, which is or shall be a menace to public health, he or it shall file with the State board of health a petition for permission so to do, together with a complete and detailed plan, description, and history of the existing or proposed works or system and purification plant, showing geographical location with relation to such stream, river, lake, tributary, or other waters, and a physical and bacteriological analysis of the substance or substances so to be deposited or discharged. Thereupon, a thorough investigation of the proposed or existing works, system, and plant, and all circumstances and conditions by it deemed to be material, shall be made under the direction of the State board of health. As a part of such investigation, and after ten days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence, oral and documentary, may be received, a record of which shall be made and filed with said board. All of the expenses of such investigation, including hearings, excepting the compensation of State officers participating therein, shall be borne, and paid as they accrue, by the petitioner. Upon the completion of such investigation said board—

"(a) If it shall determine as a fact that the substance being or to be discharged or deposited is such that under all the circumstances and conditions it will so contaminate or pollute such stream, river, lake, tributary, or other waters as to endanger the lives or health of human beings or animals, or does or will constitute a menace to public health, or that under all the circumstances and conditions it is not necessary so to dispose of such substance, shall deny the prayer of such petition: *Provided, however,* That in case such petition shall be for permission to continue to discharge sewage, sewage effluent, storm water, or other matter mentioned in this section from a sewer, storm water, or other system permanently constructed, established, and operating, prior to the passage of this act, said board may grant to petitioner a temporary and revocable permit, authorizing the continuance of such discharge, under such

restrictions as in said permit may be specified, to enable petitioner to appoint a commission to investigate and report on the best method of disposal of sewage or other matter mentioned in this section, and petitioner to construct and put into operation a new or altered system discharging elsewhere, or so to alter, add to, repair, or modify the operation of the existing system that the substance discharged or deposited shall not be such as to cause a contamination or pollution that will endanger the lives or health of human beings or animals, or constitute a menace to public health.

"(b) If it shall determine, as a fact, that the substance being or to be discharged or deposited, is not such that under all the circumstances and conditions it will so contaminate or pollute such stream, river, lake, tributary or other waters, as to endanger the lives or health of human beings or animals, or constitute a menace to public health, and that under all the circumstances and conditions it is necessary so to dispose of such substance, shall grant to petitioner a permit authorizing petitioner so to deposit or discharge or to continue to deposit or discharge such substance: *Provided, however,* That such permit shall not be construed to permit any act forbidden by any provision of the laws of this State relative to the preservation or propagation of fish or game, or relative to the deposit of débris into the streams of the State, or relative to the obstruction of navigation: *And provided further,* That all permits issued hereunder shall be revocable by said board at any time or subject to suspension if said board shall determine, as a fact, that the substance discharged or deposited by virtue thereof causes a contamination or pollution that endangers the lives or health of human beings or animals, or constitutes a menace to public health. The State board of health and its inspectors shall at any and all times have full power and authority to, and shall be permitted to, enter into and upon any and all places, enclosures and structures for the purpose of making, and therein or thereon to make examinations and investigations to determine whether any provision of this act is being violated. Whenever any petitioner shall be granted any permit by said board and under the provisions of this act, such petitioner, shall furnish to said board upon demand, a complete report upon the condition and operation, of the system, plant, or works, which report shall be made by some competent person designated for the purpose by said board, and at the sole cost and expense of the holder of the permit.

"Any county, city and county, city, town, village, district, community, institution, person, firm, or corporation, who shall deposit, discharge, or continue to deposit or discharge, into any stream, river, lake, or tributary thereof, or into any other waters, used or intended to be used for human or animal consumption or for domestic purposes, or into or upon any place the surface or subterranean drainage from which may run or percolate into any such stream, river, lake, tributary, or other waters, or into any of the salt waters within the jurisdiction of this State, any sewage, sewage effluent or other substance by the terms of section 2 of this act forbidden so to be deposited or discharged, without having an unrevoked permit so to do, as in this act provided, may be enjoined from so doing by any court of competent jurisdiction at the suit of any person or municipal corporation whose supply of water for human or animal consumption or for domestic purposes is taken from such stream, river, or other running water at a point below the place of such discharge or deposit, or from such lake, or at the suit of the State of California, or at the suit of any municipality, community, county, or city and county, any of the residents of which shall take water from such stream, river or other running water at a point below the place of such discharge or deposit, or from such lake or reservoir, or whose health shall be menaced by such discharge, or at the suit of the State board of health.

"Anything done, maintained, or suffered, in violation of any of the provisions of section 2 or section 3 of this act shall be deemed to be a public nuisance dangerous to health and may be summarily abated as such."

Milk and Milk Products—Conditions Under Which They May be Sold as "Certified."
(Chap. 79, Act Apr. 30, 1913.)

SECTION 1. No person, firm, or corporation shall sell or exchange, or offer or expose for sale or exchange as and for certified milk, any milk which does not conform to the rules and regulations and to the methods and standards for the production and distribution of "certified milk" adopted by the American Association of Medical Milk Commissions on May 1, 1912, and which does not bear the certification of a milk commission appointed by a county medical society organized under and chartered by the medical society of the State of California, and which has not been pronounced by such authority to be free from antiseptics, added preservatives, and pathogenic bacteria, or bacteria in excessive numbers. All milk sold as certified milk shall be conspicuously marked with the name of the commission certifying it. Such milk commission shall make all requirements for the production and handling of certified milk uniform and fair, and shall not refuse to certify milk for any applicant for certification who shall comply with the provisions of this act.

SEC. 2. No person, firm, or corporation shall sell or exchange or offer or expose for sale or exchange, any cream, skimmed milk, buttermilk, ice cream, butter, or cheese as and for certified cream, certified skimmed milk, certified buttermilk, certified ice cream, certified butter, or certified cheese, as the case may be, or use the word "certified" in connection with the sale, designation, advertising, labeling, or billing of any cream, skimmed milk, buttermilk, ice cream, butter, or cheese unless the same and all products of milk contained therein or used in the manufacture thereof are obtained exclusively from milk which conforms to the requirements of this act for certified milk and which bears the certification of a milk commission in accordance with the provisions of section 1 of this act, and unless in addition thereto the methods and conditions under which such cream, skimmed milk, buttermilk, ice cream, butter, and cheese, as the case may be, have been prepared or manufactured, as regards cleanliness and sanitation, shall conform to the requirements of the milk commission whose certification is sought. All cream, skimmed milk, buttermilk, ice cream, butter, and cheese sold, designated, advertised, or offered for sale as certified cream, certified skimmed milk, certified buttermilk, certified ice cream, certified butter, or certified cheese, shall be conspicuously marked with the name of the commission certifying it and certifying the milk from which such cream, ice cream, butter, and cheese is obtained.

SEC. 3. Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail for not less than 10 nor more than 60 days.

SEC. 4. An act entitled "An act to regulate the production of certified milk," approved March 18, 1909, and all acts and parts of acts inconsistent with this act are hereby repealed.

Cold-Storage Warehouses—License Required—Inspection—Care of Foodstuffs in.
(Chap. 360, Act June 13, 1913.)

SECTION 1. The term "cold storage" as used in this act shall be construed to mean a place artificially cooled to a temperature of 40° F. or below, but shall not include such a place in a private home. The term "cold stored" as used in this act shall be construed to mean the keeping of "articles of food," excepting eggs and butter, in "cold storage" for a period exceeding 30 days: *Provided, however,* That when the term "cold stored" is used in connection with eggs and butter it shall mean the keeping of these "articles of food" in "cold storage" for any length of time whatever. The term "articles of food" as used in this act shall be construed to mean and include fresh meat and fresh-meat products (except in process of manufacture), fresh fruit

and vegetables, fish, shellfish, game, poultry, eggs, butter, and cheese. The term "storer" as used in this act shall be construed to mean the person or persons who offer articles of food for cold storage.

SEC. 2. Any person, firm, or corporation desiring to operate a public cold storage or refrigerating warehouse shall make application in writing to the State board of health for that purpose, stating the location of its plant or plants. On receipt of the application the State board of health shall cause an examination to be made into the sanitary condition of said plant or plants and if found to be in a sanitary condition and otherwise properly equipped for the business of cold storage, the State board of health shall cause a license to be issued authorizing the applicant to operate a cold storage or refrigerating warehouse for and during a period of one year. The license shall be issued upon payment by the applicant of a license fee of \$50 to the State board of health. The secretary of the State board of health shall keep a full and correct account of all fees received under the provisions of this act, and shall at least once each month deposit all such fees collected with the State treasurer, and make a detailed report covering same to the State controller, and such moneys shall be credited to the traveling and contingent fund of the State board of health, to be used exclusively for the purposes of this act.

SEC. 3. In the event that any place or places, or any part thereof, covered by a license under the provision of this act shall at any time be deemed by the State board of health to be in an unsanitary condition, it shall be the duty of the State board of health to notify licensee of such condition and upon the failure of the licensee to put said specified place or places, or the specified part thereof, in a sanitary condition within a designated time it shall be the duty of the State board of health to prohibit the use under its license such specified place or places, or part thereof, as it deems in an unsanitary condition until such time as it may be put in a sanitary condition.

SEC. 4. It shall be the duty of any person, firm, or corporation licensed to operate a cold-storage or refrigeration warehouse to keep an accurate record of the receipts and the withdrawals of the articles of food, and the State board of health shall have free access to these records at any time. Every such person, firm, or corporation shall, furthermore, submit a quarterly report to the State board of health setting forth in itemized particulars quantity of food products held in cold storage. Such quarterly reports shall be filed on or before the 25th day of January, April, July, and October of each year, and the reports so rendered shall show the conditions existing on the first day of the month in which the report is filed. The State board of health shall have the authority to require such reports to be made at more frequent intervals than the times herein specified, if in the judgment of the State board of health more frequent reports shall be needed in the interest of a proper enforcement of this act, or for other reasons affecting the public welfare.

SEC. 5. No storer shall place in cold storage any article of food intended for human consumption if diseased, tainted, or deteriorated so as to injure its keeping qualities, or if not slaughtered, handled, and prepared for storage in accordance with the pure-food and sanitary-food laws and such rules and regulations as may be prescribed by the State board of health for the sanitary preparation of food products for cold storage under the authority hereinafter conferred. Any article of food, if intended for use other than human consumption, before being cold stored shall be marked by the owner in accordance with forms prescribed by the State board of health, under authority hereinafter conferred, in such a way as to plainly indicate the fact that such articles are not to be sold for human food.

SEC. 6. It shall be the duty of the State board of health to inspect and supervise all cold-storage or refrigerating warehouses in this State, and to make such inspection of the entry of articles of food therein as the State board of health may deem necessary to secure proper enforcement of this act. The members of the State board of health or its duly authorized agents, inspectors, or employees shall be permitted access to such

establishments and all parts thereof at all reasonable times for purposes of inspection and enforcement of the provisions of this act. The State board of health may also appoint and designate, at such salary or salaries as it may designate, such person or persons as it deems qualified to make the inspections herein required.

SEC. 7. All articles of food when deposited in cold storage shall be marked plainly on or in connection with the containers in which they are packed on the individual article with the date of receipt, and when removed from cold storage shall be marked with the date of withdrawal, in accordance with such forms as may be prescribed by the State board of health under the authority hereinafter conferred.

SEC. 8. No person, firm, or corporation as owners, or having control, shall keep in cold storage any article of food for a longer period than 12 calendar months, except with the consent of the State board of health, as hereinafter provided. The State board of health shall, upon application, grant permission to extend the period of storage beyond 12 months for a particular consignment of goods if the goods in question are found, upon examination, to be in proper condition for further storage at the end of 12 months. The length of time for which further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the State board of health, the kind and the amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the State board of health.

SEC. 9. It shall be unlawful to sell, or to offer or expose for sale, uncooked articles of food which have been cold stored without notifying persons purchasing, or intending to purchase, the same that they have been kept in cold storage by the display, in a conspicuous place and upon the articles of food, of a sign marked "These are cold stored goods," in type at least 2 inches high; and it shall be unlawful to represent or advertise as fresh goods articles of food which have been placed in cold storage.

SEC. 10. It shall be unlawful to return to cold storage any article of food that has once been released from such storage and placed on the market for sale to consumers, but nothing in this section shall be construed to prevent the transfer of goods from one cold storage or refrigerating warehouse to another: *Provided*, That such transfer is not made for the purpose of evading any provision of this act.

SEC. 11. The State board of health may make rules and regulations to secure a proper enforcement of the provisions of this act, including rules and regulations with respect to the sanitary preparations of articles of food for cold storage, the use of marks, tags, or labels, and the display of signs, and the violation of such rules shall be punished on conviction, as provided in section 12 of this act.

SEC. 12. Any person, firm, or corporation violating any of the provisions of this act shall, upon conviction, be punished for the first offense by a fine not exceeding \$500, and for the second offense by a fine not exceeding \$1,000, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

SEC. 13. All acts and parts of acts in conflict herewith are hereby repealed.

Cold Storage—Regulation of. (Reg. Bd. of H., Dec. 6, 1913.)

REGULATION 1. That certain act entitled "An act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or served therein, and defining the duties of the State board of health in relation thereto," approved June 13, 1913,¹ for the purpose of these regulations shall be known and may be referred to as "The California cold storage act."

REG. 2. The term "public cold storage warehouse or refrigerating warehouse" will be held to mean any establishment which offers to or does accept or receive for storage for a compensation any article of food, as defined by the California cold storage act, from one or more persons, firms, or corporations, besides the owner, and which employs

¹ See page 77.

refrigerating machinery or ice for the purpose of refrigeration in which such foods are stored at a temperature of 40° F. or below.

REG. 3. Articles of food intended for cold storage shall, when they are offered for or placed in cold storage, be inclosed in boxes, barrels, crates, or other packages sufficiently strong to protect them from injury, unless the articles are of such a character that it is impracticable to pack them in containers.

REG. 4. SECTION 1. When articles of food contained in packages are placed in cold storage, each package shall be legibly marked in black, purple, or red ink as follows: "Received" followed by the day, month, and year when such articles were received in storage.

Whenever tags are used on which to mark dates, they must be so securely fastened to the article to which they are affixed that they can not become detached.

SEC. 2. When articles of food not contained in packages are placed in cold storage, they must have, securely fastened to them, tags or labels in accordance with section 1 of this regulation.

When it is found to be impracticable to mark each individual article, said article may be stored in stacks or piles, and an appropriate tag attached to them indicating the date on which they were received in cold storage.

SEC. 3. All letters or figures required by these regulations must be in plain type not less than three-eighths of an inch in height.

SEC. 4. The word "Received" may be written "Rec'd," and figures separated by hyphens may be used to indicate dates and will be regarded as sufficient date if following the word "Rec'd." The last two figures indicating the year when such foods were placed in storage may be used, e. g.: "Received September 1, 1912," may be written: "Rec'd 9-1-12," or "Delivered September 1, 1913," may be written: "Del'd 9-1-13."

REG. 5. Articles of food already held in cold storage September 1, 1913, shall be legibly marked whenever possible with date of receipt. When it is not possible to ascertain the exact date of receipt, the approximate date should be legibly marked in accordance with regulation 4.

REG. 6. When articles of food have been kept in cold storage for 12 calendar months report of such fact shall be made to the State board of health by the persons having custody of such articles, and such articles shall not be removed from cold storage by the owners until they have been inspected by the agents of the State board of health, and released by order of the board. Requests should therefore be made at least two weeks before the statutory time limit for storage has expired.

REG. 7. For the purpose of facilitating the removal of articles of food from cold storage at the expiration of the statutory period of 12 calendar months, persons operating cold-storage warehouses shall, at least 15 days before such 12 months have elapsed, notify the owners of all articles of food stored by them of the date when such articles will have been in storage 12 months.

REG. 8. Requests for permission to store food for a longer period than 12 calendar months must be made by the owners thereof to the State board of health, upon blanks which will be furnished by the board upon application.

REG. 9. Articles of food, except eggs and butter, which are held at low temperatures for temporary protection only, for periods less than 30 days, will not, for the purposes of the California cold-storage act, be regarded as being held in cold storage, but such articles shall be kept separate from articles intended for cold storage, and be appropriately marked with date of original entry.

REG. 10. The sign "These are cold-stored goods," required by section 9, California cold-storage act, shall be plainly printed in black letters in type at least 2 inches high, upon a white background, no other lettering to appear on, or to be attached to, this sign.

REG. 11. In every case where articles of food shall be ordered or purchased by persons by telephone, telegraph, through the United States mails, and in every other

case where the buyer is not personally present at the place of sale, the seller shall attach to such articles of food and deliver to the buyer thereof a statement bearing the printed words, in type at least 2 inches high, "These are cold-stored goods," or in lieu thereof may write, print, or stamp on the bill accompanying the delivery of such goods, and opposite the cold-storage articles of food on such bill, the words "These are cold-stored goods."

REG. 12. When articles of food held in cold storage are removed from the packages in which they were contained and placed in other packages, the date of original entry into cold storage of such articles shall be placed upon the containers into which they have been transferred; and if articles of food which were placed in cold storage on different dates are packed in the same container, the date of storage of the article longest stored shall be placed upon the container to which such articles have been transferred.

REG. 13. Any article of food which has, while in storage, deteriorated in any way, so as to render it unfit for food, must either be destroyed or isolated and plainly marked "Not for food" in black letters not less than three-eighths of an inch in height on a white background. A careful record of the disposition of such article or articles of food shall be kept by the party or parties operating the refrigerating warehouse, which record shall form part of the regular quarterly report to the State board of health.

REG. 14. Any article of food not intended for use as food, shall be plainly marked by the owner when deposited in cold storage with a stamp or label reading as follows: "Not for food," followed by the day, month, and year when such article was received in storage. The letters and figures on the stamp or label shall be not less than three-eighths of an inch in height and plainly indicated in accordance with regulation 4.

REG. 15. Shell eggs are to be reported in terms of cases and dozens, all other articles to be reported as by package or weight or numerical count, and in so far as the same is practicable, by both package and weight.

REG. 16. The floors, halls, walls, ceilings, furniture, receptacles, implements, and machinery of every cold-storage or refrigerating warehouse shall be kept in a clean, healthful, and sanitary condition and, for the purpose of the California cold-storage act, unclean, unhealthful, or insanitary conditions shall be deemed to exist if the food stored is not securely protected from flies, dust, dirt, insects, and from all foreign or injurious contamination.

REG. 17. No employer shall knowingly require, permit, or suffer any person to work, nor shall any person work, in a cold-storage or refrigerating warehouse who is affected with any infectious or contagious disease.

REG. 18. Toilet rooms shall be separate and apart from the rooms in which food is stored; cuspidors for the use of employees must be washed daily with disinfectant solution.

REG. 19. These regulations shall become effective immediately after the date of their adoption by the California State Board of Health without any further notice, and shall remain operative until revoked or amended by said board. They may be revoked, amended, or added to at any time and from time to time without previous notice, by said board of health, at any meeting thereof.

Drugs—Misabeled or Misbranded—Hearing before State Board of Health. (Chap. 358, Act June 13, 1913.)

SECTION 1. Section 6 of an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, is hereby amended to read as follows:

"Sec. 6. Drugs shall be deemed mislabeled or misbranded under the meaning of this act in either of the following cases:

"First. If it be an imitation of or offered for sale under the name of another article.

"Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package as offered for sale at retail or wholesale fail to bear a statement on the label of the per cent of volume of alcohol, or the quantity of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide; or any derivative or preparation of any such substances contained therein, except when prescribed by a licensed physician, licensed dentist, or licensed veterinary surgeon.

"Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article, or any of the ingredients or substances contained therein, which is false and fraudulent."

SEC. 2. Section 15 of said act is hereby amended to read as follows:

"SEC. 15. When the examination or analysis of the director of the State laboratory shows that any of the provisions of this act have been violated, notice of that fact, together with a copy of the certificate of the findings, shall be furnished to the party or parties from whom the sample was obtained or who executed the guaranty as provided in this act, and a date shall be fixed by the secretary of the board of health at which time said party or parties may be heard before the State board of health or any two members thereof and the secretary. The hearing shall be held at such times and places as may be designated by the State board of health, and at least 15 days' notice thereof shall be first served upon the party complained of. These hearings shall be private and confined to questions of fact. The parties interested therein may appear in person or by attorneys and may propound the interrogatories and submit oral or written evidence to show any fault or error in the findings made by the director of the State laboratory. If the examination or analysis be found correct, or if the party or parties fail to appear at such hearing, after notice duly served as provided herein, the secretary of the State board of health shall forthwith transmit a certificate of the facts so found to the district attorney of the county in which said adulterated, mislabeled, or misbranded drug was found. No publication thereof shall be made until after said hearing is concluded."

Asexualization of Idiots and Inmates of Certain State Institutions—When Authorized.
(Chap. 363, Act June 13, 1913.)

SECTION 1. Before any person who has been lawfully committed to any State hospital for the insane, or who has been an inmate of the Sonoma State Home, and who is afflicted with hereditary insanity or incurable chronic mania or dementia shall be released or discharged therefrom, the State commission in lunacy may, in its discretion, after a careful investigation of all the circumstances of the case, cause such person to be asexualized, and such asexualization whether with or without the consent of the patient shall be lawful and shall not render the said commission, its members, or any person participating in the operation, liable either civilly or criminally.

SEC. 2. Whenever, in the opinion of the resident physician of any State prison, it will be beneficial and conducive to the benefit of the physical, mental, or moral condition of any recidivist lawfully confined in such State prison, to be asexualized, then such physician shall call in consultation the general superintendent of State hospitals and the secretary of the State board of health, and they shall jointly examine into the particulars of the case with the said resident physician, and if, in their opinion, or the opinion of any two of them, asexualization will be beneficial to such recidivist, they may perform the same: *Provided*, That such operation shall not be performed unless the said recidivist has been committed to a State prison in this or some other State or

country at least two times for rape, assault with intent to commit rape, or seduction, or at least three times for any other crime or crimes, and shall have given evidence while an inmate of a State prison in this State that he is a moral or sexual degenerate or pervert: *And provided further*, That in the case of convicts sentenced to State prison for life, who exhibit continued evidence of moral and sexual depravity, the right to asexualize them, as provided in this section, shall apply whether they shall have been inmates of a State prison in this or any other country or State more than one time or not: *Provided further*, That nothing in this act shall apply to or refer to any voluntary patient confined or kept in any State hospital of this State.

SEC. 3. Any idiot, if a minor, may be asexualized by or under the direction of the medical superintendent of any State hospital, with the written consent of his or her parent or guardian, and if an adult, then with the written consent of his or her lawfully appointed guardian, and upon the written request of the parent or guardian of any such idiot or fool, the superintendent of any State hospital shall perform such operation or cause the same to be performed without charge therefor.

SEC. 4. An act entitled "An act to permit asexualization of inmates of the State hospitals and the California Home for the Care and Training of Feeble Minded Children, and of convicts in the State prison," approved April 26, 1909, is hereby repealed.

Maternity Hospitals and Children's Homes—License Required—Inspection—Regulation. (Chap. 69, Act Apr. 23, 1913.)

SECTION 1. No person, association, or corporation shall hereafter maintain or conduct in this State any maternity hospital or lying-in asylum where females may be received, cared for, or treated during pregnancy, or during or after delivery; or any institution, boarding house, home, or other place conducted as a place for the reception and care of children, without first obtaining a license or permit therefor, in writing, from the State board of charities and corrections, such permit or license once issued to continue until revoked for cause after a hearing.

SEC. 2. The State board of charities and corrections is hereby authorized to issue licenses or permits to persons or associations to conduct maternity hospitals, lying-in asylums, or homes for children, as provided in section 1 of this act, and to prescribe the conditions upon which such licenses or permits shall be granted, and such rules and regulations as it may deem best for the government and regulation of maternity hospitals, lying-in asylums and institutions, boarding houses, or homes for the reception and care of children, and said board is further authorized, by one or more of its members, secretary, or duly authorized representative, to inspect and report upon the conditions prevailing in all such institutions.

SEC. 3. Any person who maintains or conducts, or assists in maintaining or conducting as manager or officer, any maternity hospital, lying-in asylum, or any institution, boarding house, home, or other place conducted as a place for the reception and care of children, or who keeps at any such place any child under the age of 12 years, not his relative, apprentice, or ward, without first having obtained a license or permit therefor in writing, as provided in section 1 of this act, shall be punished upon conviction by imprisonment in the county jail for not more than 1 year, or by a fine not to exceed \$500, or both a fine and imprisonment may be imposed at the discretion of the court.

Graduate Nurses—Examination and Registration of. (Chap. 319, Act June 12, 1913.)

SECTION 1. Within 30 days after this act takes effect the State board of health shall establish and maintain a department of examination and registration of graduate nurses, as hereinafter provided. The State board of health shall appoint a director, whose salary shall be fixed by the board, and said director shall have been graduated from an accredited training school for nurses, as defined in this act, and shall be duly

registered under the provisions of this act. Said director shall perform all duties required by this act, and such other duties as may be required by the State board of health, in order to carry out the objects and purposes of this act. Lists of accredited training schools for nurses and a register of the names of all nurses duly registered under this act shall be prepared and kept by the department. An annual report shall be prepared and filed before January 1 of each year.

SEC. 2. It shall be the duty of said board to meet regularly once in every 6 months for the purpose of holding examinations under the provisions of this act. Public notice of such meetings shall be given by publishing the same at least 2 weeks prior to the date of each meeting in two papers of general circulation, and in one nursing journal. Upon filing application for examination each applicant shall pay an examination fee of \$10, which shall in no case be returned to the applicant. No further fee shall be required for registration. At such meetings it shall be the duty of the board to examine all such applicants for registration under this act and to issue to each duly qualified applicant who shall have complied with the requisite provisions of this act and who shall have passed a satisfactory examination, a certificate provided for in this act.

SEC. 3. All applicants for registration shall be registered without examination: *Provided*, They make application prior to July 1, 1914, and have graduated before said date from a reputable training school connected with a general hospital.

SEC. 4. On and after July 1, 1914, no person shall be eligible for examination or for registration as a registered nurse who shall not furnish satisfactory evidence of having been graduated from an accredited training school for nurses. An accredited training school for nurses within the meaning of this act is hereby defined to be a school for the training of nurses attached to or operated in connection with a hospital or hospitals giving a general training and a systematic, theoretical, and practical course of instruction covering a period of at least three years. All applicants for examination must furnish satisfactory evidence of good moral character, and of having complied with the provisions of this act relative to qualifying.

SEC. 5. A nurse who has received his or her certificate according to the provisions of this act, shall be styled and known as a registered nurse, and shall be entitled to place the initials "R. N." after his or her name.

SEC. 6. This act shall not be construed to affect or apply to the gratuitous nursing of the sick by friends or members of the family, or to any person nursing the sick for hire who does not in any way assume to be or practice as a registered nurse.

SEC. 7. It shall be unlawful for any person not holding a certificate of registration issued by the State board of health to use the title "registered nurse" or the letters "R. N." in connection with or following his or her name, or to impersonate in any manner, or pretend to be, a "registered nurse."

SEC. 8. The board, upon written application, and upon the receipt of \$10 as registration fee, shall issue a certificate of registration, without examination, to any applicant who has been duly registered as a registered nurse under the laws of another State or foreign country having requirements equivalent to those provided for by this act.

SEC. 9. The board shall have the power to revoke any certificate of registration for dishonesty, intemperance, immorality, unprofessional conduct, or any habit rendering a nurse unfit or unsafe to care for the sick, after a full and fair investigation of the charges preferred against the accused.

SEC. 10. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and shall upon conviction be fined not less than \$10 nor more than \$100 for the first offense and not less than \$50 nor more than \$500 for each subsequent offense.

SEC. 11. Within 10 days after the beginning of each month the secretary of the State board of health shall report to the controller the amount and source of all collections made under the provisions of this act, and at the same time all such amounts shall be

paid into the State treasury and shall be placed to the credit of the special fund to be known as the fund for examination and registration of nurses. All amounts paid into this fund shall be held subject to the order of the State board of health, to be used only for the purpose of meeting necessary expenses in the performance of the special duties imposed by this act. Claims against the fund shall be audited by the State board of health and by the board of control and shall be paid by the State treasurer upon warrants drawn by the State controller.

Medical or Surgical Chests—Must be Kept in Factories. (Chap. 278, Act May 19, 1913.)

SECTION 1. Every person, firm, or corporation operating a factory or shop, or conducting any business in which power machinery is used for any manufacturing purpose, except for elevators or for heating or hoisting apparatus, where five or more persons are employed, shall at all times keep and maintain, in some accessible place upon the premises upon which such factory, shop, or business is located, free of expense to the employees, a medical or surgical chest which shall contain an adequate assortment of absorbent lint, absorbent cotton, sterilized gauze, plain and medicated, adhesive plaster, cotton and gauze bandages, also one tourniquet, one pair scissors, one pair tweezers, one jar carbolized petrolatum, one bottle antiseptic solution, and one first-aid manual, all of which shall cost not less than \$6, and to be used in the treatment of persons injured or taken ill upon the premises.

SEC. 2. Any person, firm, or corporation violating this act shall be subject to a fine of not less than \$10 nor more than \$50 for every week during which such violation continues.

Horses, Mules, Asses, and Cattle—Inspection of, for Communicable Diseases, When Imported. (Chap. 225, Act June 4, 1913.)

SECTION 1. It shall be unlawful for any person, firm, company, or corporation, their agents and servants, to bring into the State of California any horses, mules, asses, or cattle, unless such animals have been examined and found free from infectious or contagious diseases, which freedom from disease shall be established by a certificate of health signed by a regularly qualified and practicing veterinarian who is a graduate of a duly recognized and accredited veterinary college of good standing: *Provided, however*, That in case of cattle over 6 months of age intended to be used for dairy or breeding purposes, said certificate of health shall also state and certify that each individual animal thereof has been personally and carefully inspected and subjected to a physical and clinical examination and also subjected to the tuberculin test, and that each individual animal thereof has been found free from any suspicious symptoms of tuberculosis, or of any infectious or contagious disease other than tuberculosis, and also that each individual animal thereof failed to react to the tuberculin test. Said certificate shall also include a complete temperature record of each animal during the period while undergoing the tuberculin test.

The certificate of health and tuberculin-test record, as provided for in this act, shall be in duplicate, one copy of which must be attached to the waybill of the shipment and the other copy shall be forwarded to the State veterinarian of the State of California on the day the shipment is made: *Provided further*, That any person, firm, company, or corporation, their agents and servants, wishing to bring cattle into the State of California for exhibition at fairs, may, by making application to the State veterinarian of the State of California, receive permission to bring such cattle into the State of California for such purpose without the tuberculin test as provided for herein, but in all such cases said permit must be attached to the waybill accompanying the shipment of such cattle: *And provided further*, That in case any of such exhibition cattle are sold to remain in the State of California they must be subjected to the tuberculin test and proved free from tuberculosis before being delivered to the

purchaser. It is further provided that cattle may be brought into the State of California for the purpose of slaughter for food, as well as for the purpose of fattening for such slaughter, without a certificate of inspection or tuberculin testing, except as may be otherwise provided. In every case where cattle are being brought into the State, except as hereinbefore provided, there shall also be attached to said certificate of health a certificate signed by the owner, or the consignor or shipper, certifying that no one of such animals had previously reacted to the tuberculin test within 3 months last past and that no one of such animals had been subjected to any other treatment designed to negative the action of the tuberculin test, and in every case where said cattle are brought into the State of California for the purpose of slaughter for food, or for the purpose of fattening for such slaughter, a certificate signed by the owner shall be attached to said waybill accompanying said shipment, stating correctly the purpose for which said cattle are to be used and where and by whom they are to be so used; and it shall be unlawful for any person, firm, or corporation to make any false or incorrect statement as to any of the matters herein required to be set forth in said certificate and if said certificate be attached to said waybill it shall relieve any transportation company, its agents, and employees from the penalties prescribed in this act if said cattle should be brought into this State for purposes other than as set forth in said certificate.

SEC. 2. Any person, firm, company or corporation, their agents, servants, and employees, that shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail for a term not exceeding 180 days, or by both such fine and imprisonment.

SEC. 3. That certain act of the Legislature of the State of California entitled "An act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911, is hereby expressly repealed.

SEC. 4. That certain act of the Legislature of the State of California entitled "An act to prevent the importation of horses, mules, and asses affected with glanders into the State of California," approved March 7, 1911, is hereby expressly repealed.

SEC. 5. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Camps—Sanitation of. (Chap. 182, Act May 29, 1913.)

SECTION 1. In or at any camp where five or more persons are employed the bunk houses, tents, and other sleeping places of such employees shall be kept in a cleanly state and free from vermin and matter of an infectious and contagious nature, and the grounds around such bunk houses, tents, or other sleeping places shall be kept clean and free from accumulations of dirt, filth, garbage, and other deleterious matter.

SEC. 2. Every bunk house, tent, or other sleeping place used for the purpose of a lodging or sleeping apartment in such camp shall contain sufficient air space to insure an adequate supply of fresh air for each person occupying such bunk house, tent, or other sleeping place. The bunks or beds shall be made of iron, canvas, or other sanitary material and shall be so constructed as to afford reasonable comfort to the persons occupying such bunks or beds.

SEC. 3. It shall be the duty of any person, firm, corporation, agent, or officer of a firm or corporation employing persons to work in or at such camps and the superintendent or overseer in charge of the work in or at such camp to carry out the provisions of sections 1 and 2 of this act.

SEC. 4. The State board of health shall have the right and power to condemn any camp coming under the provisions of this act as dangerous to the public health.

SEC. 5. Any person, firm, corporation, agent, or officer of a firm or corporation, or any superintendent or overseer in charge of the work in or at any camp coming under

the provisions of this act, who shall violate or fail to comply with the provisions of this act is guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than \$200, or by imprisonment for not more than 60 days, or by both such fine and imprisonment.

SEC. 6. It shall be the duty of the State board of health to enforce the provisions of this act.

Wiping Rags—Sterilization Required. (Chap. 81, Act Apr. 30, 1913.)

SECTION 1. Every person or corporation who supplies or furnishes to his or its employees for wiping rags, or who sells or offers for sale for wiping rags, any soiled wearing apparel, underclothing, bedding, or parts of soiled or used underclothing, wearing apparel, bedclothes, bedding, or soiled rags and cloths, unless the same have been sterilized by a process of boiling for 40 minutes in a solution containing 5 per cent of caustic soda, and unless before such boiling, the sleeves, legs, and bodies of garments are ripped and made into flat pieces, is guilty of a misdemeanor.

SEC. 2. Wiping rags within the meaning of this act are cloths and rags used for wiping and cleaning the surfaces of machinery, machines, tools, locomotives, engines, motor cars, automobiles, cars, carriages, windows, and furniture, and surfaces of articles, appliances and engines in factories, shops, steamships and steamboats, and generally used for cleaning purposes in industrial employments, and also used by mechanics and workmen for wiping from their hands and bodies soil incident to their employment.

SEC. 3. Any person or corporation who shall wash, cleanse, or launder soiled rags or soiled cloth material for wiping rags, in the same building or by the same machinery or appliances, in or by which clothing and articles for personal wear or for household use are laundered, shall be guilty of a misdemeanor.

SEC. 4. Every peace officer, health officer, or health inspector, upon proper demand and notice of his authority, shall be permitted, during business hours, to enter factories, shops, yards, ships, boats, and premises where wiping rags are used, or are kept for sale, or offered for sale, and inspect such wiping rags; and it shall be unlawful for any person, firm, company, or corporation to refuse to permit such inspection, or to impede or obstruct such officer during such inspection.

SEC. 5. Each county, city and county, city and town, may regulate the business of laundering and sterilizing, and the business of selling wiping rags, by enacting ordinances prohibiting the laundering, sterilizing, and sale, and offering for sale, of wiping rags, or cloth material for wiping rags, within their respective jurisdictions, without a permit issued by the board of supervisors of the county, or board of health or health officer of the city and county, city and town, and for the issuance of certificates of inspection of wiping rags offered for sale. Such permit shall be granted as of course on a first application therefor, and may be revoked by the board or officer authorized to issue the same for a violation of this act or for a violation of such ordinance by the holder of such permit. The board, department, or officer authorized to issue permits to launder, sterilize, or sell wiping rags shall keep a register of the names and places of business of persons to whom such permits are issued, and the date of issue and number of said permit, and a record of revocation of issued permits.

SEC. 6. Every package or parcel of wiping rags must, before being sold or offered for sale, be plainly marked "sterilized wiping rags," with the number and date of permit given for the conducting of the laundry in which the rags contained in such package or parcel were laundered and sterilized, and the name of the board or officer issuing the permit; or with the name and location of the laundry in which such rags were laundered and sterilized.

SEC. 7. Any person, firm, or corporation who shall violate any of the provisions of this act shall be guilty of a misdemeanor.

Interment and Disinterment of Bodies—Permit for. (Chap. 95, Act Apr. 30, 1913.)

SECTION 1. A new section is hereby added to the Political Code, to be designated as section 3084, to read as follows:

"3084. No person, firm, or corporation shall deposit in any cemetery, or inter in any cemetery in any county, city, or city and county in this State, any human body without first having obtained and filed with the board of health or health officer of the city, city and county, or county where the death occurred, a certificate, signed by a physician or a coroner, setting forth as near as possible the name, age, color, sex, place of birth, occupation, date, locality, and the cause of death of the deceased and obtain from said board of health or health officer a burial permit; nor shall any human body be removed or disinterred without a permit from the board of health, health officer, or by order of the coroner of the county, city and county, or city in which the same is buried. A burial permit issued in one county, or city, or city and county, shall be valid and sufficient in any county which shall be specified therein as the place of interment, and shall be issued in duplicate, and shall be marked, respectively, original and duplicate. The original shall be retained by and filed with the board of health, or health officer issuing the same, and the duplicate shall be presented to and filed with the board of health or health officer of the county wherein the body is interred, and no further permit for burial shall be required, but any county burial fees required by law or ordinance shall be paid. Superintendents of cemeteries must return to the county board of health or health officer, and county recorder of the county where the interment is made, on each Monday, the names of all persons interred or deposited within their respective cemeteries for the preceding week. No superintendent of a cemetery shall remove, permit or cause to be removed, disinter or cause or permit to be disinterred, any corpse that has been deposited in the cemetery, without a permit from the county board of health, or health officer, or by order of the county coroner. The board of health or health officer must file a report with the county recorder on each Monday, showing the names of all persons interred in the county on permits issued outside of the county, for the preceding week, and by what board of health or health officers burial permits therefor were issued."

Tenement Houses—Construction, Maintenance, and Occupation of. (Chap. 356, Act June 13, 1913.)

SECTION 1. An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, approved April 16, 1909, statutes of California, of 1909, page 948," and approved April 10, 1911, statutes of California of 1911, page 860, is hereby amended to read as follows:

SECTION 1. This act shall be known as the tenement-house act, and its provisions shall apply to all incorporated towns, incorporated cities, cities, and counties in the State of California. It shall be the duty of the department of health of incorporated towns, incorporated cities, and cities and counties to enforce all the provisions of this act: *Provided, however*, That incorporated towns, incorporated cities, cities, and counties in the State of California shall have and are hereby given authority to designate and charge by ordinance any other department than the department of health with the enforcement of this act or any portion thereof: *Provided*, That the department of health of incorporated towns, incorporated cities, and cities and counties shall always have supervision over and shall enforce the provisions of this act relating to sanitation, ventilation, and health in all tenement buildings not in course of actual

construction or alteration, and shall issue the permit hereinafter mentioned, entitled "Permit of occupancy upon completion of construction." In the event that an incorporated town, incorporated city, or city and county shall by municipal ordinance designate another and different department than the department of health to enforce the provisions of this act or any of them which by the provisions of this act may by such ordinance be transferred to the control of another department than the department of health all powers not so transferred shall be and remain in the department of health.

SEC. 2. For the purpose of this act certain words and phrases are defined as follows:

A tenement house is any house or building or portion thereof, of more than one story, which is designed, built, rented, leased, let, or hired out, to be occupied or is occupied as the home or residence of four families or more living independently of each other and doing their cooking upon the premises, or by three families so living and cooking and having a common right in the halls, stairways, yards, water-closets, or some or any of them: *Provided*, That a building of not more than two stories in height, which is designed, built, rented, leased, let, or hired out to be occupied or is occupied as the home or residence of not more than four families living independently of each other and so constructed that each section is arranged to be occupied as the home or residence of a separate family and each section having an entirely independent and separate entrance and stairway from the street or from an outside vestibule on the level of the first floor of said building and with no room, hall, bathroom, water-closet, kitchen, or other convenience used in common by two or more families occupying said building, shall not come within the definition of a tenement house contained in this act.

An "apartment" in a tenement house is a room or a suite of rooms which is occupied, or is intended or designed to be occupied, as a family domicile.

A "yard" is an open unoccupied space on the same lot with a tenement house, situated in the rear of said tenement house: *Provided*, That in case of a corner lot the yard may be placed in the rear of either frontage.

A "court" is an open unoccupied space, other than a yard, on the same lot with a tenement house. A court not extending to the street or yard is an inner court. A court extending to the street or yard and bounded on three sides by a tenement house on the same lot is an outer court. If it extends to the street, it is a street court. If it extends to the yard, it is a yard court. If it extends from the street to the yard, it is a street-to-yard court. A court bounded on one side and both ends by a tenement house and on the remaining side by a lot line is a "lot-line" court.

A "court" bounded on one side and one end by a tenement house and on the remaining side by lot line and the remaining end open to the street or yard is a lot line outer court.

A "shaft" includes exterior and interior shafts, whether for air, light, elevator, dumb-waiter, or any other purpose. A vent shaft is one used solely to ventilate or light a water-closet compartment or bathroom.

A "public hall" is a hall, corridor, or passageway not within an apartment.

A "private hall" is a hall, passageway, corridor, or vestibule within an apartment.

A "stair hall" includes the stairs, stair landings, and those portions of the public halls through which it is necessary to pass in going between the entrance hall and the roof.

A "basement" is a story partly below the level of the curb, the ceiling of which is not less than 7 feet above the curb level.

A "cellar" is any story partly or wholly below the level of the curb, the ceiling of which is less than 7 feet above the curb level.

A fireproof tenement house is one the walls of which are constructed of brick, stone, iron, or other incombustible material, and in which there are no wooden beams or lintels, and in which the floors, roofs, stair halls, and public halls are built entirely of

brick, stone, iron, or other hard, incombustible material, and in which no woodwork or other inflammable material is used in any of the partitions, furrings, or ceilings. But this definition shall not be construed as prohibiting elsewhere than in the stair halls or entrance halls the use of wooden flooring on top of the fireproof floors or the use of wooden sleepers, nor as prohibiting wooden handrails, and hardwood treads.

A "wooden tenement" is a tenement of which the exterior walls or a portion thereof are of wood. Wooden buildings covered with metal, plaster, terra cotta, or veneered with masonry are wooden structures.

For the purpose of this act the greatest horizontal linear dimension of any building shall be its length, and the next greatest horizontal linear dimension its width.

The height of buildings shall be measured from the curb level at the center of the main front of the building to the top of the highest point of the roof beams in case of flat roofs, and for high-pitched roofs the average height of the gable shall be taken as the highest point of the building.

For a building erected upon a street corner, the measurements shall be taken from the curb level opposite the center of either front.

When the ground upon which the walls of a structure are built is above the street level, the average level for the ground adjoining the walls may be taken instead of the curb level for the height of such structure.

SEC. 3. A building not erected for use as a tenement house, if hereafter altered or converted to such use, shall thereupon become subject to all of the provisions of this act affecting tenement houses hereafter erected.

SEC. 4. No tenement house shall at any time be altered so as to be in violation of any provision of this act. If any tenement house or any part thereof be erected, altered, or occupied contrary to law, such tenement house shall be deemed an unlawful structure, and the department of health, or the department charged with the enforcement of this act, may cause such building to be vacated, and such building shall not again be occupied until it or its occupation, as the case may be, has been made to conform with the law.

SEC. 5. No tenement house hereafter erected shall occupy more than 90 per cent of a corner lot or more than 75 per cent of any other lot, except as otherwise provided in this act: *Provided*, That the space occupied by open iron fire escapes erected and constructed according to law shall not be deemed a part of the lot occupied, but that the space occupied by fireproof stairs and by vent shafts 32 square feet or less in area shall be considered as part of the lot occupied. For the purposes of this section the measurements may be taken at the level of the second tier of beams (the second-floor level), except where rooms on the ground floor are to be used for sleeping apartments.

SEC. 6. By corner lot is meant a lot situated at the junction of two streets, or of a street and public alley, or other public thoroughfare or public park, not less than 16 feet in width. Any portion of the width of such lot distant more than 50 feet from such junction shall not be regarded as part of a corner lot, but shall be subject to the provisions of this act respecting other than corner lots. Where, in any corner lot, the two frontages are of unequal length, either street frontage may be taken as the width of the lot. Street frontage alone and not alley frontage shall be considered in determining such lesser frontage.

SEC. 7. The height of no tenement house hereafter erected shall by more than one-half exceed the width of the widest street upon which it stands.

SEC. 8. Behind every tenement house hereafter erected, there shall be a yard extending across the entire width of the lot and at every point open from the ground to the sky, unobstructed, except that open iron fire escapes may project not over 4 feet from the rear line of the house. The depth of said yard, measured from the extreme rear wall of the house toward the rear line of the lot, shall be as provided in the following sections.

SEC. 9. Except upon a corner lot, as provided in section 10, or upon a lot running through from street to street, or street to public alley, or public park as provided in section 11, the depth of the yard behind every tenement house hereafter erected 60 feet in height shall not be less than 12 feet in every part. Said yard shall be increased in depth 2 feet for every additional 12 feet in height of the building or fraction thereof, and may be decreased in depth 1 foot for every 12 feet in height of the building less than 60 feet; but it shall never be less than 10 feet in depth in every part. In the event that two tenement houses or a tenement house and another structure of more than one story in height are constructed or erected upon the same lot, then and in that event the full yard space as set forth in this section shall be provided for each of such buildings. In no case shall two buildings of more than one story in height abut upon the yard of a width as herein provided for a single tenement house. To determine the depth of yard as described in this section, the measurement shall be taken of the rear wall of such tenement house abutting on said yard and from the top of such wall to the level of the floor of the yard at such rear wall.

SEC. 10. The depth of the yard behind every tenement house hereafter erected upon a corner lot shall be not less than 10 feet in every part and at every point open and unobstructed from the level of the second tier of beams (the second floor level): *Provided*, That where any such lot is less than 100 feet in depth the depth of the yard be not less than 10 per centum of the greatest depth of such lot, but shall never be less than 5 feet in every part, nor less than the minimum width of an outer court on the lot line as prescribed by this act. If rooms on the ground floor are used as sleeping apartments the yard shall be taken from the ground up. When a corner lot is more than 50 feet in width, the yard for that portion in excess of 50 feet shall conform to the provisions of section 9 of this act.

SEC. 11. Whenever a tenement house is hereafter erected upon a lot which runs through from one street to another street or public alley or public park and said lot is not more than 150 feet in depth, one-half of the width of the street or alley upon which the yard abuts may be included in the depth of the yard required by sections 9 and 10, but said one-half not to exceed in width the depth of the yard for such lot provided in sections 9 and 10: *Provided*, That on such lot no tenement house hereafter erected shall occupy more than 90 per cent of a corner lot, or more than 75 per cent of any other lot.

One-half the width of the rear street or public alley or public park immediately behind said lot may be included in the portion of lot that is left uncovered in computing the percentage: *Provided*, That whenever said one-half the width of said rear street or public alley or public park equals or exceeds the depth of yard required in section 10, if the lot be a corner lot, or in section 9, if the lot be not a corner lot, only such portion of such street or public alley or public park may be included in computing the percentage to be left uncovered as will equal the depth of yard required for said lot. When one-half the width of such rear street or public alley or public park is less than the depth of the yard required for such lot by the provisions of sections 9 and 10, it may be included in computing the percentage of the lot to remain uncovered.

If a lot is surrounded upon its four sides by streets or streets and public alleys 20 feet or more wide or public parks over 24 feet wide, the provisions relating to yards in sections 8, 9, 10, and 11 need not be complied with: *Provided*, That the tenement house to be constructed on such lot does not occupy more than 75 per cent of the lot and contains an outer court at least 80 feet deep and of a width twice as great as the depth prescribed for yards in section 9 and open to one of the surrounding streets, public alleys, or public parks: *Provided*, That said outer court shall not be required to be of a depth which shall leave less than 50 feet between the rear line of said court and the line of said lot immediately behind said court.

SEC. 12. No court or vent shaft of a tenement house hereafter erected shall be covered by a roof or skylight, but every such vent shaft or court shall be at every

point open from at least 2 feet above the floor of the lowest apartment abutting upon such vent shaft or court to the sky, unobstructed, except that open iron fire escapes, as required by law, or by ordinances or regulations of incorporated towns, incorporated cities or cities and counties, may project into the court, but not more than 4 feet from the wall of the house. All courts in tenement houses hereafter erected shall conform to the requirements of the following sections. Except that recesses may be built on the street or yard or a court, provided the depth of same is no greater than the width and that their area be not counted in computing the area of the court.

SEC. 13. The outer courts of all tenement houses hereafter erected shall have not less than the following minimum widths nor more than the following maximum lengths:

Building.	Least width.	Maximum length.
2 stories.....	4 feet.....	16 feet.
3 stories.....	4 feet 6 inches.....	25 feet.
4 stories.....	5 feet 6 inches.....	30 feet.
5 stories.....	6 feet.....	35 feet.
6 stories.....	8 feet.....	35 feet.
7 stories.....	10 feet.....	40 feet.
8 stories or more.....	12 feet.....	40 feet.

The length of outer courts shall not be more than the maximum lengths given in the above table unless 6 inches be added to the minimum widths for each additional 5 feet or fraction thereof in length. The lot line outer courts and street to yard courts shall have the same minimum width as outer courts, but are not governed by the provision in this section regarding maximum lengths.

SEC. 14. The inner courts of all tenement houses hereafter erected shall have areas and minimum widths in all parts, not less than the widths and areas as follows:

Building.	Area in square feet.	Least width.
2 stories.....	75.....	6 feet.
3 stories.....	120.....	7 feet.
4 stories.....	160.....	8 feet.
5 stories.....	250.....	12 feet.
6 stories.....	400.....	16 feet.
7 stories.....	625.....	20 feet.
8 stories or more.....	840.....	24 feet.

Provided, That when only the windows of kitchens containing not more than 75 square feet of floor area or of bathrooms or toilets open or are designed to open upon an inner court and said court is entirely open and free from obstruction from the bottom thereof to the sky, said court shall have areas and minimum widths in all parts not less than the areas and widths specified in the following table:

Building.	Area in square feet.	Least width.
2 stories.....	75.....	6 feet 0 inches.
3 stories.....	84.....	7 feet 0 inches.
4 stories.....	112.....	8 feet 0 inches.
5 stories.....	144.....	12 feet 0 inches.
6 stories.....	240.....	16 feet 0 inches.
7 stories.....	360.....	20 feet 0 inches.
8 stories or more.....	400.....	20 feet 0 inches.

SEC. 15. Lot line courts in tenement houses hereafter erected shall have areas and minimum widths in all parts not less than those specified in the following table:

Building.	Area in square feet.	Least width.
2 stories.....	50.....	4 feet 0 inches.
3 stories.....	72.....	6 feet 0 inches.
4 stories.....	105.....	7 feet 0 inches.
5 stories.....	180.....	9 feet 0 inches.
6 stories.....	300.....	12 feet 0 inches.
7 stories.....	490.....	14 feet 0 inches.
8 stories or more.....	595.....	17 feet 0 inches.

Provided, That when only the windows of kitchens containing not more than 75 square feet of floor area or of bath rooms or toilets open or are designed to open upon a lot line court, and said court is entirely open and free from obstruction from the bottom thereof to the sky, said court shall have areas and minimum widths in all parts not less than the areas and widths specified in the following table:

Building.	Area in square feet.	Least width.
2 stories.....	50.....	4 feet 0 inches.
3 stories.....	50.....	4 feet 0 inches.
4 stories.....	60.....	6 feet 0 inches.
5 stories.....	108.....	9 feet 0 inches.
6 stories.....	144.....	12 feet 0 inches.
7 stories.....	168.....	14 feet 0 inches.
8 stories or more.....	225.....	15 feet 0 inches.

SEC. 16. Every inner court, including lot-line courts, shall be provided with one or more horizontal air intakes at the bottom. Such intakes shall always communicate directly with the street or yard and shall consist of an unobstructed passageway, not less than 3 feet wide and 6 feet 6 inches high, which shall be left open, or if not open there shall always be provided in said passageway open grilles or transoms, one at each end, of a size not less than 10 square feet each, and such open grilles or transoms shall never be covered with glass or in any other way. In case the court does not go down below the second floor level, the intakes shall consist of unobstructed open ducts having an open interior area of not less than 16 square feet at any point, and covered at each end with a wire screen of not less than 1-inch mesh. Such duct shall be so arranged as to be easily cleaned out. These ducts or intakes must in any case be either of fireproof construction or lined with No. 26 galvanized iron on inside.

SEC. 17. No existing tenement house shall (unless the rear of the lot upon which it stands abuts upon a public alley at least 10 feet wide) hereafter be enlarged or its lot be diminished so that there will not be a yard immediately behind said tenement house building of the size required by this act for tenement house buildings hereafter constructed. Where a tenement house, now or hereafter erected, stands upon a lot, other than a corner lot, no other building shall hereafter be placed upon the front or rear of that lot, unless the minimum distance between such buildings shall be at least 10 feet, if neither building exceeds the height of one story; or 12 feet if either building exceeds the height of one story, but not the height of two stories, and so on, 2 additional feet to be added to such minimum distance of 10 feet for every story more than one in the height of the highest building on such lot. Every rear tenement hereafter erected, or every tenement that hereafter becomes a rear tenement by the erection of a building or buildings on the front of the same lot, shall have direct access to a street, or to a public alley at least 16 feet wide, by a passageway not less than 5 feet wide by 7 feet high.

SEC. 18. In every tenement house hereafter erected every room, except water-closet compartments and bathrooms shall have a window or windows of the area required by section 19 of this act, opening directly upon the street or upon a yard or a court of the dimensions specified in sections 8 to 16 of this act, and such windows shall be located so as to properly light all portions of such rooms.

SEC. 19. In every tenement house hereafter erected the total window area of each room within each apartment, except water-closet compartments and bathrooms, shall be at least one-eighth of the superficial area of the room, except in the cellar or basement, where it shall be one-sixth, and the upper half of all windows shall be made so as to open the full width. The total window area of any such room shall never be less than 12 square feet, measured to outside of sash.

SEC. 20. In every tenement house hereafter erected all rooms, except water-closet compartments and bathrooms, shall be of the following dimensions: In each apartment there shall be at least one room containing not less than 120 square feet of floor area, and each other room shall contain at least 90 square feet of floor area. Each

room shall be in every part not less than 9 feet from the finish floor to the finished ceiling: *Provided*, That an attic room need be but 9 feet high in but half its area: Except that small closets, and water-closet compartments, and bathrooms may be not less than 7 feet 6 inches in height, and except that kitchens or pantries may be less than 90 square feet of area: *Provided*, That same are not occupied or intended or designed to be occupied as bedrooms.

SEC. 21. In every tenement house hereafter erected an alcove in any room shall be separately lighted and ventilated and must conform to all the requirements of other rooms and shall not be less than 90 square feet in area. No part of any room in a tenement house hereafter erected shall be inclosed or subdivided at any time, wholly or in part, by a curtain or portière, fixed or movable partition, or other contrivance or device unless such part of the room so inclosed or subdivided shall contain a separate window, as herein required, and shall have a floor area of not less than 90 square feet: *Provided, however*, That closets or alcoves of not more than 25 square feet floor area do not come within the provisions of this section: *Provided, further*, That it shall be unlawful to do any cooking or prepare any food in closets or alcoves unless they conform to all the provisions of sections 18 and 19 of this act relative to windows.

SEC. 22. In every tenement house which is hereafter erected, which is occupied or arranged to be occupied by more than two families on any floor, or which exceeds four stories and cellar in height, every public hall or stair hall shall have at least one window at each floor opening directly upon the street or upon a yard or court, except as otherwise provided in this section. Any part of a hall divided off from any other part of said hall by a door or doors shall be deemed a separate hall within the meaning of this section, and if no window from such hall opens directly upon a street or upon a yard or court, there shall be a skylight over each such public hall with louvers and at least 20 square feet of glass area over buildings two stories in height. The area of glass in such skylight shall be increased at a ratio of 6 square feet for each additional story in height of the building and a stair well be provided. The clear open area of such stair well at each floor to be equal to one-third of the area of the glass in such skylight, and all doors leading from such public halls shall be provided with translucent glass panel of an area of not less than 5 square feet for each door and also with fixed transom of translucent glass over each door: *Provided*, That in a stair hall that does not have a window opening directly upon a street or upon a yard or court in lieu of such window a skylight with louvers and at least 20 square feet of glass area shall be constructed in the roof over such stairway.

SEC. 23. In every tenement house hereafter erected one at least of the windows provided to light each public hall or part thereof shall have an area of at least 12 square feet measured to outside of sash.

SEC. 24. In every tenement house hereafter erected the windows required by law on each floor to light or ventilate stair halls shall be at least 15 square feet of area measured to outside of sash. Sash doors in entrance halls and public halls shall be deemed the equivalent of a window for lighting purposes: *Provided*, That such doors contain the amount of glazed surface prescribed for windows.

SEC. 25. Every vent shaft hereafter constructed in a tenement house shall be at least 16 square feet in area, and the least dimension of such vent shaft shall be at least 4 feet; and if such vent shaft is above 50 feet in height measured from the bottom to the top of said shaft, such vent shaft shall throughout its entire height be increased in area 3 square feet for each addition of 12 feet or fraction thereof above 50 feet. Every such vent shaft shall be constructed of fireproof materials or shall be covered on the outside (weather side) with metal and on the inside (room side) with metal lath and plaster, excepting that portion of such vent shaft extending from the ceiling of the topmost story of the building may be covered with metal on both sides in lieu of metal lath and plaster. Every such vent shaft shall be provided with an air intake or duct

at the bottom, communicating with the street or yard, or a court; such air intake shall be 3 square feet in total area; such air intake may be divided into not more than three separate ducts running between the joists or otherwise, and shall in all cases be placed as nearly horizontal as possible. Such ducts shall be constructed of fireproof material and shall enter the shaft at or near the bottom thereof, and shall be provided with a wire screen of not more than 1 inch mesh at each end. Plumbing, gas, steam, or other similar pipes may be placed in a vent shaft.

SEC. 26. In every apartment of four or more rooms in a tenement house hereafter erected, access to every living room and bedroom and to at least one water-closet compartment shall be had without passing through any bedroom.

SEC. 27. In no tenement house hereafter erected shall any room in the cellar be constructed, altered, converted or occupied for living purposes; and no room in the basement of a tenement house shall be constructed, altered, converted, or occupied for living purposes, unless all of the following conditions of this act be complied with, and at least two-thirds of the basement shall be above grade for building: *Provided*, In each case of each such room the ceiling shall be at least 7 feet above the adjoining street grades and actual ground levels.

(1) Such rooms shall be at least 9 feet in every part from the floor to the ceiling.

(2) There shall be appurtenant to such room or apartment a water-closet conforming to the regulations and ordinances relating to water-closets of the incorporated town, incorporated city, or city and county in which the tenement house is or is to be built.

SEC. 28. If the basement of any tenement house hereafter erected is used or designed to be used for living purposes, it shall have all walls below the ground level and all cellar or lower floors dampproofed and waterproofed. When necessary to make such floors and walls dampproof and waterproof, the dampproofing and waterproofing shall run through the walls as high as the ground level and continue throughout the floor. All cellars and basements in such tenement houses shall be properly lighted and ventilated to the satisfaction of the department charged with the enforcement of this act.

SEC. 29. In every tenement house hereafter erected the bottom of all shafts, courts, areas, and yards which extend to the basement for light or ventilation of living rooms shall not be more than 2 feet above the floor of the lowest apartment abutting on such court, shaft, area, or yard. In every tenement house all shafts, courts, areas, and yards shall be properly graded and drained and connected with the street or sewer so that all water may pass freely through into it, and when required by the department charged with the enforcement of this act shall be properly concreted.

SEC. 30. In every tenement house hereafter erected there shall be in each apartment a proper sink with running water.

SEC. 31. In every tenement house hereafter erected there shall be a separate water-closet in a separate compartment within each apartment, and one shower bath or bathtub in a separate compartment shall be provided on each floor for every 10 rooms or fraction thereof and arranged so that one bathtub or shower is accessible to each apartment, provided that where there are apartments consisting of but one or two rooms there may be one water-closet compartment for every two such apartments accessible from each such apartment through the public hall, and not more than 20 feet distant from an entrance of each such apartment. Each compartment shall not be less than 2 feet 4 inches wide and shall be inclosed with plastered partitions which shall extend to the ceiling. Every such water-closet compartment shall have a window or windows of at least 6 square feet total area opening directly upon a vent shaft, court, street, or yard. However, a bathtub or shower may be placed in a separate water-closet compartment where neither bathtub or shower or water-closet are to be used by more than one apartment. Every water-closet compartment shall be provided with proper means for lighting same by night. The floor of every such water-closet compartment shall be made waterproof with asphalt, tile, cement, or some other nonabsorbent waterproof material, which shall be satisfactory to the department charged with the enforcement of this act.

SEC. 32. No wooden tenement house shall hereafter be erected which shall contain more than 150 rooms, exclusive of bathrooms.

SEC. 33. No wooden tenement house exceeding three stories in height, exclusive of cellar, shall hereafter be erected. However, the building may step up or down to follow the grade: *Provided*, That no part of the said building is over three stories in height: *Provided, however*, That a wooden tenement containing a basement or a full first story the floor of which is not below the level of the curb may, where such basement or story is not used or designed to be used for living purposes, be constructed with not more than three stories of living apartments above such basement or such first story: *And provided, further*, That when three stories of living apartments are constructed or designed to be constructed or occupied above such first story or basement of a wooden tenement such first story or basement shall not be of such height as to have more than 14 feet nor less than 9 feet between the finished floor and finished ceiling.

Where such wooden tenement contains three stories designed for living purposes no stores shall be placed therein.

Whenever in a wooden tenement three stories of apartments designed for living purposes are constructed above such last-mentioned basement or story, such basement or story may contain reception or amusement rooms, not to exceed five in number, which shall be for the use of the tenants of the building and are not to be used for commercial purposes, and shall not contain apartments used or designed to be used for living purposes.

Every tenement house may contain not to exceed five such reception or amusement rooms for the use of the tenants of the building and not to be used for commercial purposes. Every reception or amusement room shall have a minimum floor area of not less than 150 square feet and a minimum width of not less than 10 feet, and shall have a window or windows therein opening upon a street or public alley, or other public thoroughfare or public park, or court or yard, as follows:

When such room contains not more than 180 square feet or floor area, the window area, if said room is not a basement room, shall be not less than one-eighth the superficial area of said room, and if located in a basement shall be not less than one-sixth the superficial area of such room, and the upper half of the windows shall be made so as to open the full width.

No reception or amusement room containing more than 180 square feet of floor area shall have a lesser window area than that provided for such rooms containing 180 square feet of floor area.

No such reception or amusement room shall be used for lodgings, sleeping apartments, or family domicile.

Whenever such reception or amusement rooms are placed in a wooden tenement building, or in a tenement which is not a wooden tenement, the story or basement in which such rooms are located shall have a minimum height between the finished floor and finished ceiling of not less than 9 feet.

No wooden tenement shall contain more than three stories used or designed to be used for living purposes, and a basement containing living apartments shall be counted as a story in determining the number of stories of a tenement house. Such tenement house may step up or down to follow the grade.

SEC. 34. A nonfireproof tenement house may be built four stories in height: *Provided*, The exterior walls are all of brick or stone or concrete and all other municipal requirements for this class of building are complied with. If in addition to above requirements all joists, girders, studding, furring, and the soffits of stairs be lathed with metal lath and plastered, such tenement houses may be built not to exceed six stories: *Provided*, The height limits imposed by municipal ordinance for all buildings of this particular class be not exceeded. A cellar is not a story within the meaning of this section. However, the building may step up or down to follow the grade, provided that no part of said building exceeds the number of stories provided for in this section.

SEC. 35. Every tenement house hereafter erected exceeding six stories or parts of stories in height (above the curb) shall be a fireproof tenement house. A cellar is not a story within the meaning of this section.

SEC. 36. Every tenement house shall be provided and equipped with standpipes and with metallic fire escapes, combined with suitable metallic balconies, platforms, and railings, as provided for, or which shall be provided for, by the ordinances of the incorporated town, incorporated city, or city and county in which the tenement house is situated. No incumbrance of any kind shall at any time be placed before, upon, or against any stairway, steps, or landings or fire escapes in or upon any tenement house. All fire escapes upon tenement houses shall be kept in good order and repair, and every exposed part thereof shall at all times be protected against rust by durable paint.

SEC. 37. Every tenement house hereafter erected, more than two stories in height, shall have a stairway not less than 3 feet in width leading to an opening on to the roof and provided with a penthouse over such a stairway (such penthouse to be constructed on the inside and ceiling, of the same materials as required in this section for the walls inclosing stairway, and provided with a door). Such stairway shall be provided with proper handrail and be inclosed with walls of fireproof materials or wood studs lathed on the stair side with metal lath and plaster, or such wood studs may be covered with metal in lieu of metal lath and plaster. Any door opening from such stairway to the roof space shall be covered on the stair side with metal. The soffits of all such stairs shall be covered with metal or metal lath plastered.

SEC. 38. Every tenement house hereafter erected, more than two stories in height, shall have at least one flight of stairs, extending from the entrance floor to the roof and the stairs and public halls therein shall be at least 3 feet wide in the clear and every nonfireproof tenement house containing not more than 50 rooms shall have a secondary flight of stairs running from the top floor down to the second floor and not less than 2 feet 6 inches wide. A fire escape may take the place of this second stairway, provided said fire escape connects directly with a public hallway or is accessible to each apartment.

SEC. 39. Every nonfireproof tenement house hereafter erected containing over 50 rooms, exclusive of bathrooms, above the entrance story, shall also have an additional flight of stairs for every additional 80 rooms or fraction thereof, if said house contains not more than 100 rooms above the entrance story, in lieu of an additional stairway, the stairs, stair halls and entrance halls throughout the entire building shall be at least one-half wider than is specified in sections 38 and 42 of this act. However, where an additional flight of stairs is added in accordance with the provisions of this section, the secondary stairway required in section 38 may be omitted.

SEC. 40. Every fireproof tenement house hereafter erected containing over 120 rooms above the entrance story, exclusive of bathrooms, shall have an additional flight of stairs for every additional 120 rooms or fraction thereof, but if said house contains not more than 180 rooms above the entrance story, exclusive of bathrooms, in lieu of an additional stairway the stairs, stair halls, and entrance halls throughout the entire building may each be at least one-half wider than is specified in sections 38 and 42 of this act, and if such house contains not more than 300 rooms above entrance story, exclusive of bathrooms, in lieu of four stairways there may be but three stairways: *Provided*, That one of such stairways and the stair halls and entrance halls connected therewith are at least one-half wider than is specified in sections 38 and 42 of this act.

SEC. 41. Each flight of stairs mentioned in the last two sections shall have an entrance on the entrance floor from the street or street court, or from an inner court which connects directly with the street. All stairs shall be constructed with a rise of not more than 8 inches, and with treads not less than 9 inches wide exclusive of nos-

ings. Where winders are used all treads at a point 18 inches from the strings on the wall side shall be at least 10 inches wide.

SEC. 42. Every entrance hall in a tenement house hereafter erected shall be at least 3 feet 6 inches in the clear from the entrance up to and including the stair inclosure, and beyond this point 3 feet wide in the clear. In every tenement house hereafter erected access shall be had from the street to the yard either in a direct line or through a court.

SEC. 43. In nonfireproof tenement houses hereafter erected no closet of any kind shall be constructed under any stairway leading from the first story exclusive of the cellar to the upper stories, but such space shall be left entirely open and kept clear and free from incumbrance.

SEC. 44. In every tenement house hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of said building.

SEC. 45. No tenement house shall be increased in height or its lot decreased so that its yard shall be diminished to less than is required by sections 8 to 11, inclusive, of this act, or so that a greater percentage of the lot shall be occupied by buildings or structures than provided for in section 5 of this act. For the purpose of this section the measurements for computing the percentage of lot to be occupied may be taken at the level of the second tier of beams, the second floor level, except in tenement houses where rooms on the ground floor are to be occupied as sleeping apartments: *Provided*, That the space occupied by open iron fire escapes and by chimneys or flues located in yards and attached to the house, which do not exceed 5 square feet in area and do not obstruct the light or ventilation, shall not be deemed part of the lot occupied.

SEC. 46. No tenement house shall be increased in height so that said building shall exceed in height by more than one-half the width of the widest street on which it stands.

SEC. 47. Any shaft or court used or intended to be used to light or ventilate rooms intended to be used for living purposes, and which may hereafter be placed in tenement houses erected prior to the passage of this act, shall not be less in area than 25 square feet or less than 4 feet in width in any part, and such shaft shall under no circumstances be roofed or covered over at the top with a roof or skylight.

SEC. 48. Any additional room or hall that is hereafter constructed or created in a tenement house shall comply in all respects with the provisions of this act applicable to tenement houses to be erected hereafter, except that such rooms may be the same height as the other rooms of the same story of the house.

SEC. 49. No tenement house shall be so altered that any room or public hall or stairs shall have its light or ventilation diminished in any way not approved by the health department or other department designated by municipal ordinance for that purpose.

SEC. 50. No part of any room in any tenement house shall hereafter be inclosed or subdivided wholly or in part by a curtain, portiere, fixed or movable partition, or other contrivance or device unless such part of the room so inclosed or subdivided shall contain a window as required by section 18 of this act, and have a floor area of not less than 90 square feet: *Provided, however*, That closets or alcoves of not more than 25 square feet in area do not come within the provisions of this section.

SEC. 51. Every new water-closet hereafter placed in a tenement house, except one provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of section 31 of this act relative to water-closets in tenement houses hereafter erected.

SEC. 52. No existing wooden tenement house shall hereafter be increased in size so as to contain more than 150 rooms, exclusive of bathrooms.

SEC. 53. No wooden tenement house shall be increased in height so as to exceed three stories, exclusive of the cellar. However, the building may step up or down

to follow the grade: *Provided*, That no part of said building is over three stories in height.

SEC. 54. A nonfireproof tenement house may hereafter be altered to be four stories in height: *Provided*, That the exterior walls are all of brick or stone or concrete and all other municipal requirements for this class of building are complied with. If in addition to the above requirements all joists, girders, studding, furring, and the soffits of stairs be lathed with metal lath and plastered, such tenement houses may be built not to exceed six stories: *Provided*, That the height limits imposed by municipal ordinances for all buildings of this particular class be not exceeded. A cellar is not a story within the meaning of this section. However, the building may step up or down to follow the grade: *Provided*, That no part of the said building exceeds the number of stories provided for in this section.

SEC. 55. No tenement house shall hereafter be altered to exceed six stories or parts of stories in height unless it is a fireproof tenement house. A cellar is not a story within the meaning of this section.

SEC. 56. No stairs leading to the roof in any tenement house shall be removed or replaced with a ladder unless a new stairway is built in conformity with requirements of section 37.

SEC. 57. No public hall or stairs in a tenement house shall be reduced in width so as to be less than the minimum width prescribed in sections 38 and 42 of this act.

SEC. 58. In every tenement house containing 15 rooms or more, where the public halls and stairs are not, in the opinion of the health department or other department designated by municipal ordinance for that purpose, sufficiently lighted, the owner of such house shall keep a proper light burning in the hallway near the stairs upon each floor from sunrise to sunset.

SEC. 59. In every tenement house containing 15 rooms or more, a proper light shall be kept burning by the owner in the public hallways, near the stairs, upon the entrance floor, and upon the second floor above the entrance floor of said house, every night from sunset to sunrise throughout the year, and upon all other floors of the said house from sunset until 10 o'clock in the evening.

SEC. 60. No water-closets shall be maintained in the cellar of any tenement house without a special permit in writing from the health department, or other department designated by municipal ordinance for that purpose which shall have power to make rules and regulations governing the maintenance of such closets.

SEC. 61. In every tenement house existing prior to the passage of this act, at least one water-closet shall be provided for every two families: *Provided, however*, That the health department or other department designated by municipal ordinance for that purpose may exempt any tenement house existing prior to the passage of this act from the provision in this section above contained, whenever, in the judgment of said department, it would not be detrimental to the health of the occupants of said tenement house and the written permit be signed by an officer of said department authorized so to do and filed in said department as a part of its records: *Provided, further*, That the above exemption shall not apply to extensions of or additions to tenement houses existing prior to the passage of this act.

SEC. 62. In no now existing tenement house shall any room in the cellar be constructed, altered, converted, or occupied for living purposes; and no room in the basement of a tenement house shall be constructed, altered, or converted to be occupied for living purposes, unless all of the following conditions of this act be complied with, and at least two-thirds of the basement shall be above grade for building: *Provided*, In each case it shall be at least 7 feet above the street grade and actual ground level. Such rooms shall be at least 8 feet 6 inches high in all now existing tenement houses in every part, from the floor to the ceiling. There shall be appurtenant to such room or apartment a water-closet conforming to the regulations and ordinances relating to water-closets, of the incorporated town, incorporated city, or city and county in

which the tenement house is or is to be built. All walls shall be damp proofed, and there shall be an open area way extending to bottom of basement floor and running clear across outside of at least one room in each apartment.

SEC. 63. In all tenement houses the floor and wall surfaces beneath and around all water-closets and sinks shall be maintained in good order and repair, and if of wood shall be kept well painted with light colored paint.

SEC. 64. The owner of every tenement house shall see that such house and all parts thereof shall be kept in good order and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as to prevent its dripping on the ground or causing dampness in the walls, ceilings, yards, or areas.

SEC. 65. The owner of every tenement house shall see that such house and every part thereof shall be kept clean and free from any accumulation of dirt, filth, or garbage or other matter in or on the same, or in the yards, courts, passages, areas, or alleys connected or belonging to the same.

SEC. 66. The walls of all yard courts, inner courts, and shafts, unless built of light colored brick or stone, shall be thoroughly whitewashed by the owner, lessee, or tenant, or shall be painted a light color and so maintained.

SEC. 67. In all tenement houses, the health department or other department designated by municipal ordinance for that purpose may require the walls and ceilings of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such rooms, and may require this to be renewed as often as may be necessary.

SEC. 68. No wall paper shall be placed upon a wall or ceiling of any tenement house unless all wall paper shall be first removed therefrom and said wall and ceiling thoroughly cleaned.

SEC. 69. The owner of every tenement house shall provide for said building proper and suitable conveniences or receptacles for ashes, rubbish, garbage, refuse, and other matter.

SEC. 70. No horse, cow, calf, swine, goat, rabbit, or sheep, chickens, or poultry shall be kept in a tenement house, or within 20 feet thereof on the same lot, and no tenement house or the lot or premises thereof, shall be used for a lodging house or stable, or for the storage or handling of rags.

SEC. 71. Whenever there shall be more than eight families living in any tenement house, in which the owner does not reside, there shall be a janitor, housekeeper, or some responsible person who shall reside in said house and have charge of same, as the department charged with the enforcement of this act shall so require.

SEC. 72. No room in any tenement house shall be so overcrowded that there shall be afforded less than 400 cubic feet of air to each person occupying such room.

SEC. 73. No tenement house or any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any combustible article except under such conditions as may be prescribed by the department of any incorporated town, incorporated city, or city and county to which this act applies, which are now charged with the enforcement of laws, ordinances, or regulations relating to the erection of buildings, the protection of public health, and police and fire protection. No tenement house nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor for the storage, keeping, or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, or rags.

SEC. 74. No bakery, and no place of business in which fat is boiled, shall be maintained in any tenement house which is not fireproof throughout, unless the ceilings and side walls of said bakery or place where fat boiling is done are made safe by fire-proof materials around the same, and there shall be no openings either by door or window, dumb-waiter shafts or otherwise, between said bakery or said place where fat is boiled in any tenement house and the other parts of said building

SEC. 75. All transoms and windows opening into halls from any portion of a tenement house where paint, oil, spirituous liquors, or drugs are stored for the purpose of sale or otherwise, shall be glazed with wire glass or they shall be removed and closed up as solidly as the rest of the wall. And all doors leading into such hall from such portion shall be made fireproof.

SEC. 76. All scuttles and penthouses and all stairs or ladders leading thereto shall be easily accessible to all tenants of the building, and kept free from encumbrance and ready for use at all times. No scuttle and no penthouse door shall at any time be locked with a key but either may be fastened on the inside by movable bolts or hooks.

SEC. 77. No room in a tenement house erected prior to the passage of this act shall hereafter be occupied for sleeping purposes unless it shall have a window opening directly upon the street, or upon a yard not less than 10 feet deep, or above the roof of an adjoining building, or upon a court of not less than 20 square feet in area, open to the sky without roof or skylight, unless such room is located on the top floor and is adequately lighted and ventilated by a skylight opening directly to the outer air, or is on the top floor and has a window opening upon a court not less than 10 square feet in area and not more than 3 feet below the top of the walls of said court. Every room in such tenement house, regardless of the use thereof, shall comply with the above provisions; or, if the room be not used for sleeping purposes, shall be provided with a sash window opening into an adjoining room in the same apartment, which latter room either opens directly on the street or on a yard of the above dimensions. Said sash window shall be a vertically sliding pulley, hung sash not less than 3 feet by 5 feet between stop beads; both halves shall be made so as to readily open, and shall be glazed with translucent glass, and so far as possible it shall be in line with windows in outer rooms opening on the street or yard as to afford a maximum of light and ventilation.

SEC. 78. In all now existing tenement houses whenever a public hall on any floor is not light enough in the daytime to permit a person to read in every part thereof without the aid of artificial light the wooden panels in the doors located at the ends of the public halls and opening into rooms shall be removed and ground glass or other translucent glass or wire glass panels of an aggregate area of not less than 4 square feet for each door shall be substituted; or said public hall may be lighted by a window at the end thereof with the plane of the window at right angles to the axis of the said hall, said window opening upon the street or upon a yard or court.

SEC. 79. In all now existing tenement houses the woodwork inclosing all water-closets shall be removed from the front of said closets and the space underneath the seat shall be left open. The floor and other surface beneath and around the closet shall be maintained in good order and repair, and if of wood shall be kept well painted with light-colored paint.

SEC. 80. In all now existing tenement houses the woodwork inclosing sinks and lavatories located in rooms, located in public halls or stairs, shall be removed and the space underneath sink or lavatory shall be left open. The floors and wall surfaces beneath and around the sink or lavatory shall be maintained in good order and repair, and if of wood shall be well painted.

SEC. 81. In all now existing tenement houses there shall be at the bottom of every shaft or inner court a door or window giving sufficient access to each shaft or court to enable it to be properly cleaned out.

SEC. 82. In all tenement houses erected prior to the passage of this act, where a connection with a sewer is possible, all school sinks, privy vaults, or other similar receptacles used to receive fecal matter, urine, or sewage shall be completely removed and the place where they are located properly disinfected under the direction of the health department or other department designated by municipal ordinance for that purpose. Such appliances shall be replaced by individual water-closets of durable nonabsorbent material, properly sewer connected, and with individual traps and properly connected flush tanks providing an ample flush of water to thoroughly

cleanse the bowl. Each water-closet shall be located in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than 3 square feet in area opening directly to the street or yard, or on a court of the minimum size prescribed in section 25 of this act. The floors of the water-closet compartments shall be waterproof, as provided in section 31 of this act. Where water-closets are placed in the yard to replace school sinks or privy vaults, the structure containing the water-closets shall not exceed 10 feet in height; such structure shall be provided with a ventilating skylight in the roof of adequate size, and each water-closet shall be located in a compartment separated completely from every other water-closet. Proper and adequate means for lighting the structure at night shall be provided. There shall be provided at least one water-closet for every two families in every tenement house existing on the day this act takes effect, subject to the provisions of section 61 of this act. Except as in this section otherwise provided such water-closets and all plumbing in connection therewith shall be in accordance with the ordinances and regulations in relation to plumbing and drainage.

SEC. 83. Every tenement house of more than two stories in height erected prior to the passage of this act shall have in the roof a penthouse or a scuttle which shall not be less than 21 by 28 inches and located in the ceiling of a public hall. All scuttles shall be covered on the outside with metal and shall be provided with stairs or stationary ladders leading thereto and easily accessible to all tenants of the building. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or locks. All key locks on scuttles and on penthouse doors shall be removed.

SEC. 84. Before the construction or alteration of a tenement house or the alteration or conversion of a building for the use of a tenement house is commenced and before the construction or alteration of any building or structure on the same lot with a tenement house the owner or his agent or architect shall submit to the health department or other department designated for that purpose by ordinance of the municipality in which said work is contemplated a detailed statement, in writing, verified by the affidavit of the person making the same, of the construction of such tenement house or building or of such alterations proposed to be made to the said tenement house or building upon blanks or forms to be furnished by such department, also a full and complete copy of the plans and specifications of the tenement house or building proposed to be erected or altered, as the case may be, together with a plan of the lot on which such building is proposed to be erected or altered or such portion of the lot as will be set aside exclusively for and under the control of the said tenement-house building. Such statement shall give in full the name and residence by street and number of the owner or owners of such tenement house or building, also the name and business address by street and number of the architect and the contractor. Said affidavit shall allege that said plans, specifications, and lot plan are true and contain a correct description of such tenement house, building, lot, structure, and proposed work. The statements and affidavits herein provided for may be made by the owner or his agent or architect. No person, however, shall be recognized as the agent of the owner unless he shall file with said department an affidavit alleging that he is authorized by the said owner to act for him and to sign the required affidavit. Any false swearing in a material point in such affidavit shall be deemed perjury. Such plans, specifications, and statements shall be filed in said department and shall be deemed public records. Said department charged with the enforcement of this act shall cause all such plans and specifications to be examined, and if such plans and specifications conform to the provisions of this act shall issue a written certificate to that effect to the person submitting the same. Such certificate shall state that "Tenement-house act has been complied with." Said department may from time to time approve changes in any plans or specifications previously approved by it: *Provided*, Plans and specifications when so changed shall be in conformity with the provisions of this act.

Said department shall have power to revoke or cancel any permit or approval that has been previously issued in case of any failure or neglect to comply with any of the provisions of this act or in case any false statement or misrepresentation is made in any of the said plans, specifications, or statements submitted or filed for such permit or approval. The construction, alteration, or conversion of such tenement house, building, or structure, or any part thereof, shall not be commenced until the filing of such specifications, plans, and statements, and the approval thereof, as above provided. The construction, alteration, or conversion of such house, building, or structure shall be in accordance with such approved specifications and plans. When the original plans are filed a copy shall be presented to the department with which the plans are filed and when the permit to construct or alter is issued said copy shall be certified thereon by said department as a true copy of said plans and delivered to the person applying for said permit and shall be kept upon the premises upon which the tenement house or building is to be constructed or altered from the commencement of the work thereon to the final completion of the construction or alteration and be subject to inspection at all times by all proper authorities.

A copy of all changes or alterations in the original plans duly authorized shall also be kept upon the premises or said changes or alterations shall be noted upon the original copy so issued and certified by the department with which the original plans were filed. The department charged with the enforcement of this act may, at its discretion, issue a permit in case of nominal alterations and repairs, when application is made therefor in writing by the owner, his agent, or architect, when the making of said nominal alterations and repairs do not affect any structural feature, light, or sanitation of a tenement-house building, without requiring the filing of plans, specifications, or lot plan. Any permit or approval which may be issued by said department, but under which no work has been done within 90 days from the date of issuance of such permit or approval or where work has been suspended for a period of 90 days shall expire by limitation, and a new permit shall be obtained before the work may be prosecuted.

SEC. 85. Upon the completion of the construction or alteration of a tenement house or alteration of a building into a tenement house and the making of a written application therefor by the owner, his agent, architect, or contractor to the health department or other department designated by municipal ordinance to enforce the provisions of this act regarding actual construction or alteration of a tenement house or building, said department, if said building at the date of such application is entitled thereto, shall, within 10 days from the date of application, issue a certificate that the tenement house or building or alteration thereof is completed in conformity with the tenement-house act, which certificate shall be entitled "Certificate of final completion," and upon presentation of said certificate to the department of health of the incorporated town, incorporated city, or city and county in which the building is located and filing the same with such department the department of health shall issue a permit to occupy such tenement house, which last-mentioned permit shall be entitled "Permit of occupancy upon completion of construction." Said certificate and said permit shall each be made in duplicate and one copy of each shall remain on file in the department issuing it. No tenement house shall be occupied in whole or in part for human habitation until the issuance of the said "Certificate of final completion" and of said "Permit of occupancy upon completion of construction."

SEC. 86. If any building hereafter constructed as or altered into a tenement house be occupied in whole or in part for human habitation in violation of the last section, during such unlawful occupancy said premises shall be deemed unfit for human habitation, and the department of health or other department charged with the enforcement of this act may cause them to be vacated accordingly.

SEC. 87. Except as herein otherwise provided, the provisions of this act shall be enforced by the departments of any incorporated town, incorporated city, or city and county to which this act applies, which are charged with the enforcement of laws,

ordinances, and regulations relating to the protection of public health and the erection of buildings.

By the term "department of health," used in this act, is meant any department, portion, or part of the government of any incorporated town, incorporated city, or city and county to which this act applies which is charged with the enforcement of laws, ordinances, and regulations relating to the protection of public health.

SEC. 88. The department of health or other department charged with the enforcement of this act in any incorporated town, incorporated city, or city and county to which this act applies and the officers and agents of such departments shall have the right and it shall be its and their duty to enter into tenement houses and buildings within the said municipal corporation for the purpose of inspecting such houses and buildings to secure compliance with the provisions of this act and to prevent violations thereof.

SEC. 89. Nothing in this act shall be construed to abrogate or impair the powers of the department of health, the department of public works, or of the courts to enforce any provisions of the charter or building ordinances and regulations of any incorporated town, incorporated city, or city and county not inconsistent with this act or to prevent or punish violations thereof.

The provisions of this act shall be held to be the minimum requirements adopted for the protection, health, and safety of the community. Nothing in this act contained shall be construed as prohibiting the local legislative body of any incorporated town, incorporated city, or city and county from enacting from time to time supplementary ordinances imposing further restrictions. But no ordinance, regulation, or ruling of any municipal authority shall repeal, amend, modify, or dispense with any provision of this act.

SEC. 90. Every person who shall violate or assist in violation of any provision of this act shall be guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding six months or by a fine not exceeding \$500, or by both, and in addition to the penalty therefor shall be liable for all costs, expense, and disbursements paid or incurred by the department, by any of the officers thereof, or by any agent, employee, or contractor of the same, in the prosecution of such violation.

SEC. 91. Except as herein otherwise specified, the procedure for the prevention of violations of this act, or for the vacation of premises unlawfully occupied, or for other abatement of nuisance in connection with a tenement house, shall be as set forth in charter and ordinances of the municipality in which the procedure is taken. In case any tenement house, building, or structure, or any part thereof, is constructed, altered, converted, or maintained in violation of any provision of this act, or of any order or notice of the departments charged with its enforcement, or in case a nuisance exists in any such tenement house, building, or structure, or upon the lot on which it is situated, said departments may institute any appropriate action or proceeding to prevent such unlawful construction, alteration, conversion, or maintenance, to restrain, correct, or abate such violation or nuisance, to prevent the occupation of said tenement house, building, or structure, or to prevent any illegal act, conduct, or business in or about such tenement house or lot. In any such action or proceeding said departments may, by affidavit setting forth the facts, apply to the superior court, or to any judge thereof, for an order granting the relief for which said action or proceeding is brought, or for an order enjoining all persons from doing or permitting to be done any work in or about such tenement house, building, structure, or lot, or from occupying or using the same for any purpose, until the entry of final judgment or order. In case any notice or order issued by said departments is not complied with, said departments may apply to the superior court, or to any judge thereof, for an order authorizing said departments to execute and carry out the provisions of said notice or order, to remove any violation specified in said order or notice, or to abate any nuisance in or about such tenement house, building, or structure, or the lot upon which it is situated. The court, or any judge thereof, is hereby authorized to make

any order specified in this section. In no case shall the said department or any officer thereof or the municipal corporation be liable for costs in any action or proceeding that may be commenced in pursuance of this act.

SEC. 92. Every fine imposed by judgment under section 90 of this act upon a tenement-house owner shall be a lien upon the house in relation to which the fine is imposed from the time of the filing of a certified copy of said judgment in the office of the recorder of the county in which said tenement house is situated, subject only to taxes and assessments and water rates, and to such mortgage and mechanics' liens as may exist thereon prior to such filing; and it shall be the duty of the department of health or other department by municipal ordinance designated for that purpose, upon the entry of such judgment, to forthwith file the copy as aforesaid, and such copy upon filing shall be forthwith indexed by the recorder in the index of mechanics' liens.

SEC. 93. In any action or proceeding instituted by the departments charged with the enforcement of this act the plaintiff or petitioner may file in the county recorder's office of the county where the property affected by such action or proceeding is situated a notice of the pendency of such action or proceeding. Said notice may be filed at the time of the commencement of the action or proceeding, or at any time afterwards before final judgment or order, or at any time after the service of any notice or order issued by said department. Such notice shall have the same force and effect as the notice of pendency of action provided for in the Code of Civil Procedure. Each county recorder with whom such notice is filed shall record it, and shall index it in the name of each person specified in a direction subscribed by an officer of the department instituting such action or proceeding. Any such notice may be vacated upon the order of a judge of the court in which such action or proceeding was instituted or is pending. The recorder of the county where such notice is filed is hereby directed to mark such notice and any record or docket thereof as canceled of record upon the presentation and filing a certified copy of such order.

SEC. 94. Every owner of a tenement house and every lessee of the whole house, or other person having control of a tenement house, shall file in the department of health a notice containing his name and address, and also a description of the property, by street and number, and otherwise, as the case may be, in such manner as will enable the departments charged with the enforcement of this act to easily find the same; and also the number of apartments in each house, the number of rooms in each apartment, and the number of families occupying the apartments. In case of a transfer of any tenement house it shall be the duty of the grantee of said tenement house to file in the department of health a notice of such transfer, stating the name of the new owner, within 30 days after such transfer. In case of the devolution of the said property by will it shall be the duty of the executor and the devisee, if more than 21 years of age, and in the case of devolution of such property by inheritance without a will it shall be the duties of the heirs, or in case all the heirs are under age, it shall be the duty of the administrator of the deceased owner of said property to file in said department a notice, stating the death of said owner and the names of those who have succeeded to his interests, within 30 days after the death of the decedent, in case he died intestate, and within 30 days after the probate of his will, if he died testate.

SEC. 95. Every owner, agent, or lessee of a tenement house shall file in the department of health a notice containing the name and address of such agent of such house for the purpose of receiving service of process, and also a description of the property, by street and number or otherwise, as the case may be, in such manner as will enable the department charged with the enforcement of this act to easily find the same. The name of the owner or lessee may be filed as agent for this purpose.

SEC. 96. The names and addresses filed in accordance with sections 94 and 95 shall be indexed by the department of health in such a manner that all of those filed in relation to each tenement house shall be together and readily ascertainable. The department of health shall provide the necessary books and clerical assistance for that purpose, and the expense thereof shall be paid by the municipality. Said indexes shall be public records, open to public inspection during business hours.

SEC. 97. Every notice or order in relation to a tenement house shall be served five days before the time for doing the thing in relation to which it shall have been issued.

SEC. 98. In any action brought by any department charged with the enforcement of this act in relation to a tenement house for injunction, vacation of the premises, or other abatement of nuisance, or to establish a lien thereon, it shall be sufficient service of summons to serve the same as notices and orders are served under the provisions of the Code of Civil Procedure.

SEC. 99. A tenement house shall be subject to a penalty of \$1,000 if it or any part of it shall be used for the purposes of a house of prostitution or assignation of any description, with the permission of the owner thereof, or his agent, and said penalty shall be a lien upon the house and the lot upon which the house is situated.

SEC. 100. A tenement house shall be deemed to have been used for the purposes specified in the last section with the permission of the owner or lessee thereof, if summary proceedings for the removal of the tenants of said tenement house, or so much thereof as is unlawfully used, shall not have been commenced within five days after notice of such unlawful use, served by a department charged with the enforcement of this act in the manner prescribed by law for the service of notices and orders in relation to tenement houses.

SEC. 101. In a prosecution against an owner or agent of a tenement house under section 316 of the Penal Code, or in an action to establish a lien under section 99 of this act, the general reputation of the premises in the neighborhood shall be competent evidence, but shall not be sufficient to support a judgment without corroborative evidence, and it shall be presumed that their use was with the permission of the owner or lessee: *Provided*, That such presumption may be rebutted by evidence.

SEC. 102. Said action shall be brought against the tenement house as defendant. Said house may be designated in the title of the action by its street and number or in any other method sufficiently precise to secure identification. The property shall be described in the complaint. The plaintiff, except as hereinafter provided, shall be any department charged with the enforcement of this act.

SEC. 103. Said action shall be brought in the superior court in the county or city and county in which the property is situated. At or before the commencement of the action the complaint shall be filed in the office of the clerk of the county or city and county, together with a notice of the pendency of the action, containing the names of the parties, the object of the action, and a brief description of the property affected thereby.

SEC. 104. The judgment in such action, if in favor of the plaintiff, shall establish the penalty sued for as a lien upon said premises, subject only to taxes, assessments, and to such mortgages and mechanics' liens as may exist thereon prior to the filing of the notice of pendency of the action.

SEC. 105. All statutes of the State and ordinances of incorporated towns, incorporated cities, and cities and counties, as far as inconsistent with the provisions of this act, are hereby repealed: *Provided*, That nothing in this act contained shall be construed as repealing or abrogating any present law or ordinance in any incorporated town, incorporated city, or city and county of the State, further restricting the percentage of the lot to be covered by a tenement house, the number of stories or the height of such house, the number of apartments therein, the occupation thereof, the materials to be used in its construction, or increasing the size of yards or courts, the air space to each individual occupying a room, the requirements as to sanitation, ventilation, light, protection against fire.

SEC. 106. Nothing in this act contained shall be construed as abrogating, diminishing, minimizing, or denying the power of any incorporated town, incorporated city, or city and county by ordinance to further restrict the percentage of the lot to be covered by a tenement house within said municipality, the number of stories or the height of such house, the number of apartments therein, the occupation thereof, the materials to be used in its construction, or increasing the size of yards or courts, the

air space to each individual occupying a room, the requirements as to sanitation, ventilation, light, protection against fire.

SEC. 107. Except as herein otherwise provided, every tenement house shall be constructed and maintained in conformity with the existing law, but no ordinance, regulation, or ruling of any municipal authority shall repeal, modify, or dispense with any provisions of this act.

SEC. 108. All improvements specifically required by this act upon tenement houses erected prior to its date of passage shall be made within one year from said date, or at such earlier period as may be fixed by the boards of health charged with the enforcement of this act.

SEC. 109. All steam boilers, heating furnaces, or water-heating apparatus using any fuel other than coal gas or natural gas installed in the basement or cellar of any tenement building shall be inclosed in a room with walls of masonry, reenforced concrete, terra cotta, or tile from the basement or cellar floor to the bottom of the first-floor joists and the ceiling of same construction or of not less than three-fourths inch plaster on metal lath.

All windows shall be of wire glass not less than one-quarter of an inch thick, in metal frames and sashes. All doors leading from said room shall be fire doors and either run on tracks or arranged to swing out and to close automatically.

All fire doors shall overlap the wall at least 3 inches at side and top. Sills shall be of metal at least one-quarter of an inch thick on masonry, or of masonry, and have horizontal faces extending under fire doors and outer edges flush with outer surface of fire doors.

Top of sliding door shall conform to incline on the track, which shall be three-quarters inch to the foot. No door shall be hung on wooden frames or in contact with any woodwork.

Doors shall be made of three thicknesses of seven-eighths inch by 6 inch tongued-and-grooved redwood boards, surfaced both sides, the outer thickness to be placed vertical or diagonal and the inner thickness to be horizontal, nailed with clinched nails.

Doors shall be entirely covered with good tin plate ("IC" charcoal, 109 pounds to the box), not over 14 inches by 20 inches in size, laid with locked joints covering nail heads, and all vertical seams shall be double locked. No solder shall be used.

All doors shall have hinges, hangers, latches, and chafing strips of wrought iron bolted to the doors, and shall have steel tracks (when sliding doors) and wrought-iron stops and binders bolted through the wall. Swinging doors shall have wall eyes of wrought iron built into or bolted through the wall.

Where oil is burned, every doorway shall have a masonry sill rising not less than 6 inches from the floor.

Where oil is burned, the oil shall not be fed to the furnace by a gravity flow.

All tenement houses hereafter constructed of more than two stories in height shall have at least two standard fire escapes, one of which shall be on the front of said tenement house. Tenement houses over two stories in height hereafter constructed located on corner lots shall have at least one standard fire escape, constructed as hereinafter described, placed upon each front of the building upon each frontage upon each street.

The fire-escape balconies of said standard fire escapes shall commence at the level of the second floor, and one such fire-escape balcony shall be placed at the level of each floor above such second floor, and from the topmost balcony shall extend an iron gooseneck ladder over the fire wall to the roof.

SEC. 110. Every person desiring to construct or alter a tenement house shall obtain a permit from the department charged with the enforcement of this act. Every owner or lessee of a tenement house shall obtain at the beginning of each year a license from the health department of the incorporated town, incorporated city, or city and county in which said tenement house is situated.

COLORADO.

Tuberculosis—Notification of Cases and Control of. (Chap. 125, Act Mar. 17, 1913.)

SECTION 1. For the purposes of this act, tuberculosis is hereby declared to be an infectious and communicable disease. Every attending physician or person practicing as a physician in the State of Colorado shall report in writing on a form to be furnished as hereinafter provided, the name, nativity, age, sex, color, occupation, place where last employed, if known, and address of every person known by said physician or person practicing as a physician to have tuberculosis, to the health officer of the county, town, village or city in which said person resides, within 24 hours after such fact comes to the knowledge of said physician or person practicing as a physician. The chief officer having charge for the time being of any hospital, dispensary, asylum, or other similar private or public institution in said State of Colorado, shall report in like manner the name, nativity, age, sex, color, occupation, place where last employed, if known, and previous address of every patient having tuberculosis who comes into his care or under his observation, within 24 hours thereafter. The chief officer in charge of a regular incorporated sanatorium or other institution solely for the care of persons having tuberculosis shall make the report required in this section.

SEC. 2. Such report shall be upon a blank form to be furnished by the State board of health, and such blank in addition to the name, color, age, sex, nativity, occupation, place where last employed, and present address, as stated above, shall give also the evidence upon which the diagnosis of tuberculosis has been made, the part of the body affected, and the stage of the disease. All cases in which the sputum, urine, feces, pus, or any other bodily discharge, secretion, or excretion shall contain the tubercle bacillus, shall be regarded as open cases of tuberculosis, and the rules given herein providing for disinfection of premises occupied by cases of tuberculosis shall apply only to such open cases.

SEC. 3. Any health officer of a county, town, village, or city, when so requested by any physician or person practicing as a physician, or by authorities of any hospital or dispensary, shall make or cause to be made a microscopical examination of the sputum or other bodily excretion or discharge forwarded to him as that of a person having symptoms of tuberculosis, which shall be forwarded to such officer in a package supplied by the State board of health, accompanied by a blank giving name, nativity, age, sex, color, occupation, place where last employed, if known, and address of the person whose sputum it is. Said health officer shall promptly make a report of the result of such examination, free of charge, to the physician or person upon whose application the same is made: *Provided*, That the examination provided for in this section shall be by the State board of health.

SEC. 4. Every health officer of a county, town, village, or city, shall cause all reports made in accordance with the provisions of the first section of this act, and also all results of examinations showing the presence of the bacilli of tuberculosis made in accordance with the provisions of the third section of this act, to be recorded in a register to be furnished by the State board of health, of which he shall be the custodian, and a copy of which he shall transmit quarterly to the State board of health. Such register shall not be open to inspection by any person other than the health authorities of the State and of the said county, town, village, or city, and said health authorities shall not permit any such report or record to be divulged so as to disclose the identity of the person to whom it relates, except as may be necessary to carry

into effect the provisions of this act. All blanks, vouchers, registers, and receptacles by this act required shall be furnished by the State board of health.

SEC. 5. In case of the vacating of any apartments or premises by the death or removal therefrom of a person having open tuberculosis, the attending physician, or, if there be no such physician, or, if such physician be absent, the owner, lessee, occupant, or other person having charge of the said apartments or premises, if he knows or has been notified that such deceased person or persons who have been removed therefrom had open tuberculosis, shall notify the health officer of said county, town, village, or city of said death or removal within 24 hours thereafter, and such apartments or premises so vacated shall not again be occupied until duly disinfected, cleaned, or renovated by the local board of health, in accordance with the methods indorsed and recommended by the State board of health.

SEC. 6. When notified of the vacating of any apartments or premises as provided in section 5 hereof, the local health officer or one of his assistants or deputies shall within 24 hours thereafter visit said apartments or premises and shall order and direct that, except for purposes of cleansing or disinfection, no infected article shall be removed therefrom until properly and suitably cleansed or disinfected; and said health officer shall determine the manner in which such apartments or premises shall be disinfected, cleansed, or renovated in order that they may be rendered safe and suitable for occupancy. If the health authorities determine that disinfection is sufficient to render them safe and suitable for occupancy, such apartments or premises, together with all infected articles therein, shall immediately be disinfected by the health authorities at public expense, or, if the owner prefers, at the owner's expense to the satisfaction of the health authorities: *Provided, however,* That in any locality which, in the judgment of the State board of health, may be considered a resort for persons having tuberculosis, such disinfection may, in the discretion of the health authorities, be done by such health authorities at the expense of the owner of the premises. Should the health authorities determine that such apartments or premises are in need of thorough cleansing and renovation, a notice in writing to that effect shall be served upon the owner or agent of said apartments or premises, and said owner or agent shall thereupon proceed to the cleansing or renovating of such apartments or premises in accordance with the instruction of the health authorities, and such cleansing and renovation shall be done at the expense of the said owner or agent.

SEC. 7. In case the orders or directions of the local health officer requiring the disinfection, cleansing, or renovation of any apartments or premises or any articles therein, as hereinbefore provided, shall not be complied with within 72 hours after such orders or directions shall be given, the health officer shall cause a placard in words and form substantially as follows to be placed upon the door of the infected apartments or premises:

Tuberculosis is a communicable disease. These apartments have been occupied by a consumptive and may be infected. They must not be occupied until the order of the health officer directing their disinfection or renovation has been complied with. This notice must not be removed under penalty of the law except by the health officer or other duly authorized official.

SEC. 8. Any person having tuberculosis who shall dispose of his sputum, saliva, or other bodily secretion or excretion so as to cause offense or danger to any person or persons occupying the same room or apartment, house, part of house, or premises or adjoining premises, shall on complaint of any person or persons subjected to such offense or danger, be deemed guilty of committing a nuisance, and any person subjected to such a nuisance may make complaint in person or writing to the health officer of any county, town, village, or city where the nuisance complained of is committed. The local health officer receiving such complaint shall investigate, and if it appear that the nuisance complained of is such as to cause offense or danger to any person occupying the same room, apartment, house, or part of a house or premises, or adjoining premises, he shall serve notice upon the person so complained of, reciting the

alleged cause of offense or danger and requiring him to dispose of his sputum, saliva, or other bodily secretion or excretion in such a manner as to remove all reasonable cause of offense or danger. Any person failing or refusing to comply with orders or regulations of local health officer of any county, town, village, or city requiring him to cease to commit such nuisance shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished as hereinafter provided.

SEC. 9. A physician attending a patient having tuberculosis shall take all proper precautions and give proper instructions to provide for the safety of all individuals occupying the same house or apartment, and if no physician be attending such patient, this duty shall devolve upon the local health officer, and all duties imposed upon physicians by any section of this act shall be performed by the local health officer in all cases of tuberculosis not attended by a physician.

SEC. 10. Every local health officer shall transmit to every physician or person practicing and a physician reporting any case of tuberculosis, or to the person reported as suffering from this disease, provided the latter has no attending physician, a circular of information provided by the State board of health. This circular of information shall inform the consumptive of the precautions necessary to avoid transmitting the disease to others.

SEC. 11. Any physician or person practicing as a physician who shall fail to report any case of tuberculosis or any person who shall report as affected with tuberculosis any person who is not so affected, or who shall willfully make any false statement concerning the name, nativity, age, sex, color, occupation, place where last employed, if known, or address of any person reported as affected with tuberculosis, or, who shall certify falsely as to any of the precautions taken to prevent the spread of infection, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to a fine of not more than \$100.

SEC. 12. Upon the recovery of any person having tuberculosis the attending physician shall make a report of this fact to the local health officer, who shall record the same in the records of his office and shall relieve said person from further liability or duty imposed by this act.

SEC. 13. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$5 nor more than \$100.

SEC. 14. Justices of the peace in their respective jurisdictions and police magistrates in cities and towns shall have jurisdiction of offenses under this act.

SEC. 15. All acts and parts of acts contrary to or inconsistent with the provisions of this act are hereby repealed.

CONNECTICUT.

Occupational Diseases—Notification of. (Chap. 14, Act Apr. 22, 1913.)

SECTION 1. Every physician having knowledge of any person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood-alcohol, mercury, or their compounds, or from anthrax, or from compressed-air illness, or any other disease, contracted as a result of the nature of the employment of such person, shall, within 48 hours, mail to the commissioner of the bureau of labor statistics a report stating the name, address, and occupation of such patient, the name, address, and business of his employer, the nature of the disease, and such other information as may reasonably be required by said commissioner. The commissioner of the bureau of labor statistics shall prepare and furnish to the physicians of this State suitable blanks for the reports herein required.

SEC. 2. No report made pursuant to the provisions of this act shall be evidence of the facts therein stated in any action at law against any employer of such diseased person.

SEC. 3. Any physician who shall neglect or refuse to send any report herein required, or who shall fail to send the same within the time specified in this act, shall be liable to the State for a penalty of not more than \$10, recoverable by civil action in the name of the State by the commissioner of the bureau of labor statistics.

Mosquitoes—Prevention of Breeding of. (Chap. 143, Act May 29, 1913.)

SECTION 1. Any accumulation of water in which mosquitoes are breeding is hereby declared to be a public nuisance.

SEC. 2. When it has been brought to the attention of a health officer or board of health, through the complaint of any citizen, or when discovered by any inspector or agent of said health officer or board of health, that rain-water barrels, tin cans, bottles, or other receptacles, or pools near human habitations are breeding mosquitoes, it shall be the duty of said health officer or board of health to investigate and to cause such breeding places to be abolished, screened, or treated in such manner as to prevent the breeding of mosquitoes. The health officer, or any inspector or agent employed by him, shall have the right to enter any premises in performance of his duties under this act.

Water—License Required for Bottling and Selling. (Chap. 126, Act May 27, 1913.)

SECTION 1. Before any person shall engage in the business of bottling and selling spring water or other drinking water he shall apply to the State board of health for a license stating the location of the spring or other source from which water is to be taken and sold, and the location of the premises where such business is to be conducted. Said board shall cause an examination of the water to be made, and if it finds the same to be free from contamination and the premises where bottling is to be done in a sanitary condition, with the proper facilities for cleansing and sterilizing all bottles to be filled, it may grant a license for one year to the person making such application upon payment of a license fee of \$10. Such license may be renewed annually upon payment of said fee. Said board may revoke such license at any time that examination shows the water to be sold by any licensee to be polluted, or the premises where the business of bottling is carried on to be in an insanitary condition.

SEC. 2. All license fees collected by the State board of health under the provisions of this act shall be paid to the State treasurer annually.

SEC. 3. The sum of \$1,000, or so much thereof as may be necessary, is hereby appropriated to defray the expense of the inspecting and licensing provided for in this act, and the comptroller is hereby directed to draw his order on the treasurer for the amount of such expense on vouchers approved by the secretary of the State board of health.

SEC. 4. No person shall place any offal, garbage, kerosene, or other foul substance in any bottle, jar, or cask used as a receptacle for drinking water.

SEC. 5. Any person who shall violate any of the provisions of this act shall be fined not more than \$100, or imprisoned not more than 30 days, or both.

Water Supplies—Pollution of. (Chap. 220, Act June 5, 1913.)

SECTION 1. The State board of health shall have general oversight of all inland and tidal waters, including streams, lakes, and ponds used as sources of water supply, and all springs, streams, and water courses tributary thereto.

SEC. 2. The State board of health shall investigate the subject of the pollution of waters within this State by sewage and other filth and recommend to the next general assembly such legislation as will lead to the termination of all such pollution.

Milk—Standard Quality of. (Chap. 17, Act Apr. 22, 1913.)

Section 1 of chapter 143 of the public acts of 1907, as amended by section 1 of chapter 221 of the public acts of 1911, is hereby amended to read as follows: "Any milk which is sold or exchanged, or offered for sale or exchange, shall be deemed to be sold, exchanged, or offered as of standard quality, unless otherwise expressly stated at the time of such sale, exchange, or offer. Milk of standard quality shall contain not more than $88\frac{1}{4}$ per cent of watery fluid, not less than $11\frac{1}{4}$ per cent of milk solids, not less than $8\frac{1}{2}$ per cent of solids not fat, and not less than $3\frac{1}{2}$ per cent of milk fats; and the certificate of the director of the Connecticut agricultural experiment station or the director of the laboratory of the State board of health shall be prima facie proof of the composition of any milk."

Bakeries—Enforcing Local Health Regulations. (Chap. 59, Act May 7, 1913.)

Section 2569 of the general statutes as amended by section 1 of chapter 13 of the public acts of 1905 and by chapter 147 of the public acts of 1909 is hereby amended by adding at the end thereof the following: "This act shall not prevent local health authorities from enforcing orders or regulations concerning the sanitary conditions of bakeries."

Eggs—Sale of Cold Storage or Preserved. (Chap. 105, Act May 26, 1913.)

SECTION 1. Every person, firm, or corporation who shall sell or offer for sale any eggs which have been preserved by any artificial process, or which have been kept in storage for more than 15 days, in any place where the temperature is reduced by means of chemicals or other agents, or which have been incubated for 24 hours or more, shall affix to the package or receptacle containing such eggs, and the package or receptacle in which they are delivered, conspicuously displayed with such eggs a label or placard bearing in plain letters not less than 1 inch in height, the words, "cold storage eggs," or "preserved eggs," or "incubated eggs," as the case may be.

SEC. 2. No eggs shall be brought into this State that have been held in cold storage or preserved by any process, or incubated, unless the package containing said eggs shall be marked or labeled in accordance with the provisions of this act.

SEC. 3. Any person who shall fail to comply with the provisions of this act, or who shall knowingly misrepresent the condition or quality of any eggs which have been kept in cold storage, preserved, or incubated, shall be fined not more than \$25.

SEC. 4. The dairy and food commissioners shall have the same powers with respect to the detection and prosecution of any unlawful sales of cold-storage, preserved, or incubated eggs under the provisions of this act as are now conferred upon him with reference to the sale of butter, vinegar, or other food products.

Slaughterhouses—Control of, by Local Boards of Health. (Chap. 214, Act June 6, 1913.)

SECTION 1. No slaughterhouse or place where the business of slaughtering beef, poultry, or swine or preparing the same for market is carried on shall be maintained in any town, city, or borough except upon the written permission of the health officer or board of health of the town, city, or borough within which the same is located, which permission may be revoked at any time.

SEC. 2. Such board of health or health officer may prescribe such rules and regulations as said board or officer may judge necessary for the control and management of such houses or places and for the proper inspection of the food products slaughtered or prepared for market therein, and may enter into such houses or places for the purposes of inspection.

SEC. 3. Any person who shall violate any rule or regulation made by any board of health or health officer under authority of this act or who shall conduct a slaughterhouse without having such written permission shall be fined not more than \$100, or imprisoned not more than 30 days, or both.

SEC. 4. The legislative authorities of any city or borough are hereby authorized to establish and maintain a slaughterhouse or slaughterhouses within their respective territorial limits.

Narcotic Drugs—Sale of. (Chap. 191, Act June 6, 1913.)

SECTION 1. No person shall sell, furnish, or give away, except to a licensed physician, pharmacist, dentist, or veterinarian in the manner hereinafter provided, any cocaine, salts of cocaine, or any preparation containing cocaine or salts of cocaine, eucaïne or its salts, or heroin or diacetyl morphine and its salts, or dionin or ethyl morphine or any of its salts or derivations, or morphine or any derivation thereof, or any gum or natural opium except in a form adapted to external use only, or in preparations containing not more than one-half grain of morphine or not more than one-half grain of heroin in one fluid ounce, or if a solid preparation, in one avoirdupois ounce except upon the receipt of a prescription properly written and signed by a licensed physician, and only within five days after the date of such prescription. Every such prescription shall be retained by the person who dispenses the same and shall be filled but once, and shall be kept in a separate file or book; and said person shall enter in a book kept for that purpose the date of the sale, the name and address of the purchasers and the name of the person making such sale. Such prescription shall contain the date of its issue, the name of the person to whom it is issued, and the prescription in full.

SEC. 2. No person shall sell to any pharmacist, physician, dentist, or veterinarian any of the preparations referred to in section 1 of this act except upon receipt of a written order therefor which shall contain the date, the name and quantity of the article desired, and the name of the person to whom the article is sold, and said order shall be retained in a separate file or book by the person dispensing the same.

SEC. 3. Every person who shall sell any of the drugs mentioned in section 1 upon the orders provided for in section 2 shall file with the commissioners of pharmacy, on or before the tenth day of each month, a report showing all such sales made during

the preceding month, provided licensed pharmacists making sales to licensed physicians, dentists, or veterinarians only shall not be required to make such report.

SEC. 4. The commissioners of pharmacy shall prepare and furnish to all local boards of health and health officers official order blanks, serially numbered, with stub attached, in book form, upon which blanks shall be written in ink orders for the purchase of any drugs mentioned in this act by any physician, pharmacist, dentist, or veterinarian, and such orders shall be furnished, by said boards of health and health officers, to any licensed physician, pharmacist, dentist, or veterinarian.

SEC. 5. No person shall copy the original prescription or order written by any person authorized to issue the same, in accordance with the provisions of this act, or use a copy of the original prescription or order for the purpose of obtaining any of the drugs mentioned in this act, and no prescription shall be refilled except upon an order written upon the original prescription by the physician who issued it.

SEC. 6. All written orders and prescriptions required by this act and filed, in accordance with its provisions, with any person, jobber, wholesaler, or manufacturer shall be open to the inspection of all prosecuting authorities.

SEC. 7. No person not a licensed physician, dentist, jobber, wholesaler, manufacturer, or pharmacist shall have in his possession at any time more than 5 grains of any of the drugs mentioned in section 1.

SEC. 8. Any person who shall violate any of the provisions of this act shall be fined not more than \$500, or imprisoned not more than one year, or both.

SEC. 9. The commissioners of pharmacy, in making payments to the treasurer of the State, as provided by section 15 of chapter 216 of the public acts of 1909, are hereby authorized to retain in the hands of the treasurer of said commission a balance not exceeding \$500 as a reserve fund for the purpose of defraying expenses.

SEC. 10. Chapter 127 of the public acts of 1905 and chapter 30 of the public acts of 1909 are hereby repealed.

SEC. 11. This act shall take effect from its passage.

Tenement Houses—Light, etc.—Enforcement of Act. (Chap. 23, Act Apr. 24, 1913.)

SECTION 1. Section 1 of chapter 241 of the public acts of 1911 is hereby amended to read as follows: This act may be cited as the tenement-house act, and its provisions shall apply to all cities, boroughs, and towns, except its provisions concerning water-closets, which provisions shall apply to all cities, boroughs, and towns which have a water-supply and a sewer system.

SEC. 2. Section 15 of said act is hereby amended to read as follows: In every tenement house hereafter erected every room, except water-closet compartments and bathrooms, shall have at least one window opening directly upon the street or upon a yard or court of the same lot, of the dimensions specified in sections 4 to 13, inclusive, of this act; and such windows shall be so located as to properly light all portions of such rooms, and shall have a total area in each room of at least one-eighth of the area of the floor of the room. The requirements of this section in respect to rooms in a tenement house shall apply to all sleeping rooms in every building hereafter erected for use as a hotel or dormitory.

SEC. 3. Section 29 of said act is hereby amended to read as follows: It shall be the duty of every inspector of buildings, fire marshal, or other person authorized to issue building permits, by whatever name known, to enforce the provisions of this act, and to report all violations thereof to the proper prosecuting officer. Where no other officer is authorized to issue building permits, the health officer of every town shall be charged with the duties assigned by this act to building inspectors.

SEC. 4. Section 30 of said act is hereby amended to read as follows: Every owner or lessee of any building which was not used as a tenement house prior to the passage of this act who shall allow such building to be occupied or used as a tenement house without making such building conform in all respects with the requirements of

this act, and every owner or lessee of land, and every builder or architect who shall authorize, make, or approve any construction or alteration of any building, or any reduction in court or yard spaces, in violation of the provisions of this act, shall be fined not less than \$25 nor more than \$500, and if any violation of any of said provisions remains uncorrected, the violator shall be subject to a renewal of the foregoing penalty every 30 days until the violation is corrected.

SEC. 5. Section 31 of said act is hereby amended to read as follows: It shall be the duty of the commissioner of labor statistics to collect, keep on file in his office, and at his discretion publish data to be furnished by the officers charged in the several cities, boroughs, and towns with the execution of this act, showing the number of tenement houses for which permits have been asked, the number of plans approved, disapproved, or modified, and any other facts concerning the operation of the law: The records and files of said officers shall at all times be open to the commissioner of labor statistics for the purposes provided herein. Printed copies of this act and blank forms needed to carry out the provisions of this section and of section 26 of this act shall be supplied by the commissioner of the bureau of labor statistics to the officers charged with the enforcement of this act.

Tenement, Lodging, and Boarding Houses—Sanitary Care of. (Chap. 29, Act Apr. 24, 1913.)

SECTION 1. Section 3 of chapter 220 of the public acts of 1911 is hereby amended to read as follows: Every building used as a tenement, lodging, or boarding house, and all parts thereof, shall be kept in good repair, and the roofs shall be so kept as not to leak, and all rain water shall be so drained and conveyed therefrom as to prevent its dripping onto the ground or causing dampness in the walls, ceilings, yards, or areas.

SEC. 2. Section 4 of said act is hereby amended to read as follows: No horse, cow, calf, swine, poultry, sheep, or goat shall be kept in or near any tenement, lodging, or boarding house unless stabled at least 20 feet distant from such tenement, lodging, or boarding house, and then only when such stabling is not detrimental to health, in the opinion of the board of health. No tenement, lodging, or boarding house, or any part thereof, shall be used for the handling, keeping, or storing of combustible articles or rags, or any other articles, in a manner deemed by the board of health to be dangerous or detrimental to health.

SEC. 3. Section 5 of said act is hereby amended to read as follows: Whenever any tenement, lodging, or boarding house, or any building, structure, excavation, business pursuit, matter, or thing in or about such house or the lot on which it is situated, or the plumbing, sewerage, drainage, light, or ventilation of such house, is, in the opinion of the board of health, in a condition which is, or in its effect is, dangerous or detrimental to life or health, said board may declare that the same, to the extent specified by said board, is a public nuisance, and may order the same to be removed, abated, suspended, altered, or otherwise improved or purified, as the order shall specify. The board of health may also order or cause any tenement house, or part thereof, or any excavation, building, structure, sewer, plumbing pipe, passage, premises, ground, matter, or thing in or about a tenement, lodging, or boarding house or the lot on which such house is situated, to be purified, cleansed, disinfected, removed, altered, repaired, or improved. If any order of the board of health is not complied with, or so far complied with as said board shall regard as reasonable, within five days after the service thereof, or within such shorter time as said board shall designate, then such order may be executed by such board, through its officers, agents, employees, or contractors, and the expense thereof shall be collected from the owner by an action in the name of the city, borough, or town.

SEC. 4. Section 9 of said act is hereby amended to read as follows: Every building used as a tenement, lodging, or boarding house shall be furnished with adequate and

suitable privy vaults or water-closets. There shall be at least one such closet or vault for every two apartments of three rooms or less each and one such closet or vault for every apartment of four or more rooms. Every tenement, boarding, or lodging house located on premises abutting on any street or alley where running water is available and through which there is a sewer with which connection may be had shall be provided with water-closets connected with such sewer, and each such water-closet shall be located on the same floor as the apartment which it serves. Every bathroom or water-closet compartment in a tenement, lodging, or boarding house shall be ventilated by a freely opening window of at least 3 square feet in area, opening to the outer air or upon a vent shaft having such openings at the bottom and top as meet the approval of the board of health, or by a separate ventilating flue, of noncorroding material and at least 36 square inches in area, leading directly to the roof; and every such bathroom or water-closet compartment, not otherwise sufficiently lighted, shall be provided with light from an adjoining room or rooms by means of translucent glass of adequate size in a fixed sash.

SEC. 5. Section 10 of said act is hereby amended to read as follows: Dark and poorly ventilated public halls in tenement, lodging, or boarding houses shall be remedied in such manner as is deemed practicable and ordered by the board of health. The owner of every tenement house shall provide for the lighting of all public halls at night. No room in a tenement, lodging, or boarding house shall be used as a sleeping room unless it has an outside window or is provided with a sash window of at least 8 square feet opening into an adjoining room, in the same apartment, having an outside window, which sash window shall be a vertically sliding, pulley-hung sash, both halves of which shall be so constructed as to open readily, and the lower half shall be glazed with translucent glass. The walls of any court, shaft, hall, or room shall be whitewashed or painted a light color whenever, in the opinion of the board of health, such whitewashing or painting is needed for the better lighting of any room, hall, or water-closet compartment.

SEC. 6. Section 11 of said act is hereby amended to read as follows: It shall be the duty of the board of health of each city, borough, or town to enforce the provisions of this act and such board of health is hereby given authority for such purpose. All duties imposed and powers conferred by this act upon boards of health shall devolve upon the health authority of each city, borough, or town by whatever name such health authority may be known. Nothing in this act shall be construed to abrogate or impair the powers of a local board of health, or of the courts, or any other lawful authority, to enforce any provisions of any city or borough charter or health ordinances and regulations not inconsistent with this act, or to prevent or punish violations thereof.

SEC. 7. Section 12 of said act is hereby amended to read as follows: Every person who shall violate or assist in violating, or shall fail to comply with, any of the provisions of this act or any legal order of a board of health made under any of such provisions shall be fined not more than \$200, or imprisoned not more than 60 days, or both; and every person who shall continue to violate or assist in violating, or who shall continue to fail or refuse to comply with, any of the provisions of this act after having been convicted of violating or assisting in violating any of said provisions, or of failing to comply therewith, shall, upon a subsequent conviction, be imprisoned not more than six months. The county health officer of the county or the prosecuting authorities of the city, borough, or town shall have power to prosecute for any such offense.

Dust—Removal of, in Factories. (Chap. 208, Act June 6, 1913.)

SECTION 1. Every employer whose business requires the operation or use of any emery, tripoli, rouge, corundum, stone, carborundum, or other abrasive, polishing, or buffing wheel, in the manufacture of articles of metal or iridium, or whose business includes any process which generates an excessive amount of dust shall install and

maintain in connection therewith such devices as may be considered necessary by the factory inspector and State board of health to remove from the atmosphere any dust created by such process. The factory inspector, with the State board of health, shall issue to any employer engaged in such business any orders necessary to render effective the foregoing provision, and if within 60 days from the issuance of such order stating the changes to be made, such order shall not be complied with, the factory inspector may order such department closed until such order is complied with.

SEC. 2. The violation of any provision of the foregoing section or the failure to comply with any written order issued in accordance therewith within 60 days thereafter shall constitute a misdemeanor punishable by a fine of not more than \$500 for each offense, and every such order shall be enforceable by the superior court or by a judge thereof if said court is not in session, by injunction on application of the factory inspector or of the State board of health.

SEC. 3. Section 4521 of the general statutes is hereby repealed.

DELAWARE.

Births—Registration of. (Act Mar. 31, 1913.)

SECTION 1. That the State Board of Health of Delaware shall have charge of the registration of births, prepare the necessary methods, forms, and blanks for obtaining and preserving such records and to insure the faithful registration of the same in the cities, counties (with the recorder of deeds of each county) with the local registrar of each district, and in the central bureau of vital statistics of the State. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall from time to time make and promulgate any additional rules, forms, and amendments that may be necessary for this purpose.

SEC. 2. That the secretary of the State board of health shall be the State registrar of vital statistics, and shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said board, and which shall be under the immediate direction of the said State registrar, and who shall be a medical practitioner of not less than five years' practice in his profession and a competent vital statistician. The State registrar of vital statistics shall receive an annual salary to be fixed by the State board of health, payable quarterly. The State board of health shall provide for such clerical and other assistants as may be necessary for the purpose of this act, who shall serve during the pleasure of the board, and may fix the compensation of persons thus employed within the amount appropriated therefor by the legislature. Suitable equipment shall be provided for the bureau of vital statistics, which shall be properly equipped with filing cases for the permanent preservation of all official records made and returned under this act.

SEC. 3. That for the purposes of this act the State shall be divided into vital statistic registration districts by the State board of health; provided, however, that the city of Wilmington shall be one of the vital statistics registration districts of the State.

SEC. 4. The State board of health shall appoint a local registrar of vital statistics for each vital statistics registration district in the State, and the State registrar shall approve of the deputy to act in case of illness or absence of the local registrar: *Provided, however,* That the State board of health shall appoint the registrar of births, deaths, and marriages of the city of Wilmington the local registrar of the vital statistic registration district of Wilmington as provided in section 3.

The term of office of local registrar appointed by said board and their deputies shall be for two years, beginning with the 1st day of May, 1913, and shall continue in office as such until removed or the election of a successor: *Provided, however,* That the term of office of the local registrar of the vital statistic registration district of Wilmington shall commence and end with the term of office of the registrar of births, deaths, and marriages of the city of Wilmington.

Any local registrar appointed by said board or his deputy who fails or neglects to discharge efficiently the duties of his office as laid down in this act or who fails to comply with the rules of the State board of health or who fails to make prompt and complete returns of births as required hereby shall be forthwith removed from his office by the State board of health and his successor appointed, in addition to any other penalties that may be imposed for failure or neglect to perform his duty under this act.

Each local registrar appointed by said board shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in

case of absence, illness, or disability. Said deputy registrar shall in writing accept such appointment and shall be subject to all laws, rules, and regulations governing the action of local registrars. And when it may appear necessary for the convenience of the people in any district the local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable persons to act as local sub-registrars, who shall be authorized to receive birth certificates in and for such portions of the district as may be designated, and each subregistrar shall note, over his signature, the date on which each certificate was filed and shall forward all certificates to the local registrar of the district within 10 days after receiving the same and in all cases before the third day of the following month: *Provided*, That all subregistrars shall be subject to the supervision and control of the State registrar and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this act or the rules and regulations of the State board of health and the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

Sec. 5. That all births that occur in the State shall be immediately registered in the registration district in which they occur, as provided by this act.

Sec. 6. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars required by this act, with the local registrar of the district in which the birth occurred within 10 days after the date of birth, and if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, householder, or owner of the premises, manager or superintendent of public or private institutions in which the birth occurred to notify the local registrar, within 10 days after the birth, of the fact of such birth having occurred. It shall then in such case be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth: *Provided*, That in cities the certificate of birth shall be filed at a less interval than 10 days after birth, if so required by municipal ordinance (or regulations) now in force or that may hereafter be enacted.

That stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both the birth and death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain, in place of the name of the child, the word "Stillbirth." The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "Stillborn." With the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterine gestation, in months, if known; and a burial or removal permit in the usual form shall be required. Midwives shall not sign certificates of death for stillborn children, but such cases, and stillbirths occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance.

That each physician shall be entitled to be paid the sum of 10 cents for each birth certificate of a child born after this act goes into effect, properly and completely made out and registered with the local registrar of the district in which the birth occurred.

The local registrar shall certify to the State registrar the amount thus due each physician on the first day of each year. The State registrar shall then draw, by warrant, from the county treasurer of each county, the amount due the physician for said certificates in each county, provided said amount shall tally with the birth certificates registered in the bureau of vital statistics, and shall immediately on receiving said moneys from said county treasurer pay said physician as provided in this section.

Any physician or person present at the birth of any child, or (if not present at the time of the birth of the child) who attends the case of any mother during her lying-in period, shall within 24 hours report said birth to the State registrar of vital statistics on a form supplied by the State registrar. This form shall contain the following information:

- (1) Name of father and mother.
- (2) Date of birth of the child, and such other information as the State board of health may require.

This report shall in no way supplant or relieve any responsibility for filing a certificate of the birth as provided for in this section. Any person failing to make the reports as provided in this section shall be liable to the penalties provided in section 14 of this act.

SEC. 7. That the certificates of birth shall contain the following items:

- (1) Place of birth, including State, county, township, or town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of same to be given, instead of the street and house number.
- (2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.
- (3) Sex of child.
- (4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural birth, giving number of child in order of birth.
- (5) Whether legitimate or illegitimate.
- (6) Full name of father, except for illegitimate children.
- (7) Residence of father.
- (8) Color or race of father.
- (9) Age of father at last birthday, in years.
- (10) Birthplace of father; State or foreign country.
- (11) Occupation of father.
- (12) Maiden name of mother.
- (13) Residence of mother.
- (14) Color or race of mother.
- (15) Age of mother at last birthday, in years.
- (16) Birthplace of mother; State or foreign country.
- (17) Occupation of mother.
- (18) Number of child of this mother, and number of children of this mother now living.
- (19) The certificate of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then the father or mother of the child, household, or owner of the premises, or manager or superintendent of public or private institutions, or other competent person, whose duty it shall be to notify the local registrar of such birth.
- (20) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

All certificates of birth shall be written legibly, in unfading black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for herein, or satisfactorily account for their omission.

SEC. 8. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed and returned to the local registrar as soon as the child shall have been named, which in no case shall be later than 30 days from the birth of said child. That in case the parent does not comply with this section he shall be liable to the penalty prescribed in section 14 of this act.

SEC. 9. That every physician and midwife shall, without delay, register his or her name, address, and occupation with the local registrar of the district in which he or she

resides, or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State registrar relative to its enforcement. Within 30 days after the close of each calendar year each local registrar shall make a return to the State registrar of all physicians, midwives, or undertakers who have been registered in his district during the whole or any part of the preceding calendar year; provided, that no fee or other compensation shall be charged by local registrars to physicians or midwives for registering their names under this section or making returns thereof to the State registrar.

SEC. 10. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrar, and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. And all physicians, midwives, or informants connected with any case, and all other persons having knowledge of the facts, are hereby required to furnish such information as they may possess regarding any birth upon demand of the State registrar in person, by mail, or through the local registrar. He shall further arrange, bind, and permanently preserve the certificates in a systematic manner.

SEC. 11. That it shall be the duty of the local registrars to supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth when presented for record to see that it has been made out in accordance with the provisions of this act and the instructions of the State registrar; and if any certificate of birth is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to see that they are corrected. If a certificate of birth is incomplete, he shall immediately notify the informant, and require him to supply the missing items if they can be obtained. He shall then number consecutively the certificates of births in two separate series, beginning with the "number one" for the first birth in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth certificate registered by him as directed by the State board of health, to be kept and permanently preserved in his office as the local record of such birth, in such manner as directed by the State registrar. And he shall, on the 10th day of each month, transmit to the State registrar all original certificates registered by him during the preceding month; and if no births occurred in any month, he shall, on the 10th day of the following month, report that fact to the State registrar; on a card provided for this purpose:

SEC. 12. Each local registrar shall be required to make three correct copies of each birth certificate received that is properly and completely made out, one copy of which shall be kept by the local registrar making the same, one copy shall be forwarded to the State registrar of the State board of health, and one copy shall be forwarded to the recorder of deeds of the county in which the vital statistic registration district of said local registrar is located. For each copy of a birth certificate properly and completely made out and forwarded to the said recorder of deeds the local registrar shall be paid the sum of 25 cents by the treasurer of the county in which the vital statistic registration district of said local registrar is located; provided, however, that the board of health of the city of Wilmington or the proper officer thereof shall be paid the sum of 25 cents for each copy of a birth certificate properly and completely made out and forwarded to the recorder of deeds in Newcastle County by the registrar of births, deaths, and marriages of the city of Wil-

mington. The deputy registrar and the subregistrar shall be paid the sum of 10 cents for each certificate received and returned by them as provided in section 4 of this act, and the said sum of 10 cents shall be deducted from the amount payable to the local registrar for forwarding the copy of the birth certificate to the recorder of deeds. All sums payable under the provisions of this section shall be paid quarterly by the treasurers of the several counties.

SEC. 13. The recorder of deeds of each county in Delaware shall be furnished with loose-leaf binders for births, into which he shall place in proper order the returns of births immediately on the receipt of same from the different local registrars of the county of which he is the recorder of deeds; said returns shall be made quarterly by the said local registrars. These binders shall be plainly marked "Register of births," and shall be part of his official records. All said registers shall at all times be accessible to physicians, clergymen, and lawyers without charge.

Each local registrar shall be furnished with loose-leaf binders similar to those furnished the recorder of deeds and shall file his quarterly copy in same manner as the recorders of deeds. The State registrar shall be furnished with loose-leaf binders and shall file the quarterly copies in same manner as the recorders of deeds.

SEC. 14. That the State registrar or recorder of deeds shall, upon request, furnish any applicant a certified copy of the record of any birth registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And the record or any such copy of the record of a birth, when properly certified by the State registrar or county recorder of deeds to be true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records, when no certified copy is made, the State registrar or recorder of deeds shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, to be paid by the applicant. And any local registrar or deputy registrar who shall neglect or fail to enforce the provisions of this act in his district or shall neglect or refuse to perform any of the duties imposed upon him by this act or by the instructions and directions of the State registrar, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$10 nor more than \$100.

And any person who shall willfully alter any certificate of birth, or the copy of any certificate of birth, on file in the office of the local registrar shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$10 nor more than \$100, or be imprisoned in the county jail not exceeding 60 days, or suffer both fine and imprisonment, in the discretion of the court.

And any other person or persons who shall violate any of the provisions of this act, or who shall willfully neglect or refuse to perform any duties imposed upon them by the provisions of this act, or shall furnish false information to a physician, midwife, or informant for the purpose of making incorrect certification of births shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$5 nor more than \$100.

SEC. 15. If any physician or midwife shall neglect or refuse to comply with the duties imposed on such person or persons by any part or parts of this act, he shall be fined not less than \$5 or more than \$25 for each and every case so neglected or refused, to be recovered before any justice of the peace. No penalties under this section to interfere with the specific penalties laid down in this act.

SEC. 16. That local registrars are hereby charged with the strict and thorough enforcement of the provisions of this act in their several districts, under the supervision and directions of the State registrar. And they shall make an immediate report to the State registrar of any violation of this law coming to their notice by observation or upon complaint of any person or otherwise. The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to

the end that all of its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representative, and all local registrars shall aid him, upon request, in such investigations. For any violation of this act or parts thereof the State registrar may bring action against the violator before any justice of the peace, and from his decision there shall be no appeal. When he shall deem it necessary he shall report cases of violation of any of the provisions of this act to the attorney general of Delaware with a statement of the facts and circumstances; and when any such case is reported to him by the State registrar the attorney general shall forthwith initiate and promptly follow up the necessary proceedings against the parties responsible for the alleged violations of law.

SEC. 17. That the sum of \$1,000 or such portion thereof as may be necessary to carry into effect the provisions of this act annually shall be appropriated for the carrying into effect the provisions of this act, and the same is hereby appropriated, out of any funds in the hands of the State treasurer not otherwise appropriated, and for the annual expenses of the same thereafter. The said appropriation shall be paid to the State board of health as other funds are paid to them, and said appropriation shall be known as vital statistics appropriation.

SEC. 18. That the State registrar shall furnish postal cards and stamped envelopes and such other stationery as may be necessary for the proper carrying into effect the provisions of this act. All such cards and envelopes shall be marked: "State board of health official business." Any person using such State property for any but official business shall, on conviction thereof, be fined not less than \$50 nor more than \$200.

The above-mentioned postal cards or stamped envelopes or stationery may be used for reporting any contagious or infectious diseases to the State registrar of vital statistics, or any official of the State board of health, or for any official business of said State registrar or State board of health, or to the same.

SEC. 19. No system for the registration of births shall be continued or maintained in any of the several municipalities of this State unless they are in harmony with the provisions of this act.

SEC. 20. That from the decision of the justice of the peace, under any of the provisions of this act, there shall be no appeal.

SEC. 21. The secretary of state is hereby authorized and directed to have 1,000 copies of this act printed and delivered to the State registrar within 60 days after the passage of this act.

SEC. 22. That any section or sections of this act, or part or parts of such, may be put into operation by the State board of health and have the force of law at any time before July 1, 1913.

That on July 1, 1913, every section of this act, except section 24, shall be in force.

SEC. 23. That all fines recovered under this act before any justice of the peace shall be paid to the registrar of vital statistics and by him to the treasurer of the State and applied to the general fund of the State.

That the costs in all cases shall be paid by the person fined.

SEC. 24. That on and after January 1, 1914, all yearly statistical reports shall begin on January 1.

SEC. 25. That all acts and parts of acts inconsistent with the provisions of this act or supplied by this act are hereby repealed.

Marriages—Registration of. (Act Mar. 31, 1913.)

SECTION 1. That the State board of health of Delaware shall have charge of the registration of marriages; prepare the necessary methods, forms and blanks for obtaining and preserving such records and to insure the faithful registration of the same in the hundreds, cities, counties (with the recorder of deeds of each county), and in the central bureau of vital statistics of the State. The said board shall be charged with

the uniform and thorough enforcement of the law throughout the State, and shall from time to time promulgate any additional forms and amendments that may be necessary for this purpose.

SEC. 2. That the secretary of the State board of health shall be the State registrar of vital statistics, and shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said board, and which shall be under the immediate direction of the said State registrar, and who shall be a medical practitioner of not less than 5 years' practice in his profession, and competent vital statistician. The State registrar of vital statistics shall receive an annual salary to be fixed by the State board of health, payable quarterly. The State board of health shall provide for such clerical and other assistants as may be necessary for the purpose of this act, who shall serve during the pleasure of the board, and may fix the compensation of persons thus employed within the amount appropriated therefor by the legislature. Suitable equipment shall be provided for the bureau of vital statistics, which shall be properly equipped with filing cases for the permanent and safe preservation of all official records made and returned under this act.

SEC. 3. That for the purposes of this act the State shall be divided into vital statistics registration districts by the State board of health; provided, however, that the city of Wilmington shall be one of the vital statistics registration districts of the State.

SEC. 4. The State board of health shall appoint a local registrar of vital statistics for each vital statistics registration district in the State and the State registrar shall approve of the deputy to act in case of the illness or absence of the local registrar; provided, however, that the State board of health shall appoint the registrar of births, deaths, and marriages of the city of Wilmington the local registrar of the vital statistics registration district of Wilmington as provided in section 3.

The term of office of local registrar appointed by said board and their deputies shall be for two years, beginning with the 1st day of May, 1913, and shall continue in office as such until removed or the election of a successor; provided, however, that the term of office of the local registrar of the vital statistics registration district of Wilmington shall commence and end with the term of office of the registrar of births, deaths, and marriages of the city of Wilmington.

Any local registrar appointed by said board or his deputy who fails or neglects to discharge efficiently the duties of his office as laid down in this act, or who fails to comply with the rules of the State board of health, or who fails to make prompt and complete returns of marriages as required hereby, shall be forthwith removed from his office by the State board of health, and his successor appointed, in addition to any other penalties that may be imposed for failure or neglect to perform his duty, under this act.

Each local registrar appointed by said board shall immediately upon his acceptance of appointment as such appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness, or disability, said deputy registrar shall in writing accept such appointment, and shall be subject to all laws, rules, and regulations governing the action of local registrars. And when it may appear necessary for the convenience of the people in any district the local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable persons to act as local subregistrar, who shall be authorized to receive marriage certificates in and for such portions of the district as may be designated; and each local subregistrar shall note, over his signature, the date on which each certificate was filed, and shall forward all certificates to the local registrar of the district within 10 days after receiving the same, and in all cases before the third day of the following month; provided, that all subregistrars shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform the rules and regulations of the State board of health and the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

Every certificate of marriage shall be written legibly, in unfading black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for in this act, or satisfactorily account for their omission.

SEC. 5. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received from the local registrars, and if any such are incomplete and unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. He shall further arrange, bind, and permanently preserve the certificates in a systematic manner.

SEC. 6. Each local registrar shall be required to make three correct copies of each marriage certificate received that is properly and completely made out, one copy of which shall be kept by the local registrar making the same, one copy shall be forwarded to the State registrar of the State board of health, and one copy shall be forwarded to the recorder of deeds of the county in which the vital statistic registration district of said local registrar is located. For each copy of a marriage certificate properly and completely made out and forwarded to the said recorder of deeds, the local registrar shall be paid the sum of 25 cents by the treasurer of the county in which the vital statistic registration district of said local registrar is located; provided, however, that the board of health of the city of Wilmington or the proper officer thereof shall be paid the sum of 25 cents for each copy of a marriage certificate properly and completely made out and forwarded to the recorder of deeds of Newcastle County by the registrar of births, deaths, and marriages of the city of Wilmington. The deputy registrar and the subregistrar shall be paid the sum of 10 cents for each certificate received and returned by them as provided in section 4 of this act, and the said sum of 10 cents shall be deducted from the amount payable to the local registrar for forwarding the copy of the marriage certificate to the recorder of deeds. All sums payable under the provisions of this section shall be paid quarterly by the treasurers of the several counties.

SEC. 7. The recorder of deeds of each county in Delaware shall be furnished with loose-leaf binders for marriages, into which he shall place in proper order the returns of marriages immediately on the receipt of same from the different local registrars of the county of which he is the recorder of deeds; said returns shall be made quarterly by the said local registrars. The binders shall be plainly marked: "Register of Marriages," and shall be part of his official records. All said registers shall at all times be accessible to physicians, clergymen, and lawyers without charge.

Each local registrar shall be furnished with loose-leaf binders similar to those furnished the recorder of deeds, and shall file his quarterly copy in same manner as the recorder of deeds. The State registrar shall be furnished with loose-leaf binders and shall file the quarterly copies in same manner as the recorders of deeds.

SEC. 8. That the State registrar or recorder of deeds shall, upon request, furnish any applicant a certified copy of the record of marriage registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And the record or any such copy of the record of a marriage, when properly certified by the State registrar or county recorder of deeds to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records, when no certified copy is made, the State registrar or recorder of deeds shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, to be paid by the applicant.

SEC. 9. And any local registrar or deputy registrar who shall neglect or fail to enforce the provisions of this act in his district, or shall neglect or refuse to perform any of the duties imposed upon him by this act or by the instructions and directions of

the State registrar, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$10 nor more than \$100.

And any person who shall willfully alter any certificate of marriage, or the copy of any certificate of marriage, on file in the office of the local registrar shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$10 nor more than \$100, or be imprisoned in the county jail not exceeding 60 days, or suffer both fine and imprisonment, in the discretion of the court. And any other person or persons who shall violate any of the provisions of this act, or who shall willfully neglect or refuse to perform any duties imposed upon them by the provisions of this act, or shall furnish false information for the purpose of making incorrect certification of marriage shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$5 nor more than \$100.

SEC. 10. It shall be the duty of any person, and of the clerk or keeper of the records of any religious society by or before whom any marriage or marriages may hereafter be solemnized or contracted, to make full and complete return of the same, on blanks furnished by the State registrar of vital statistics, on or before the last day of the month in which said marriage or marriages were solemnized or contracted, to return the certificate or certificates of such marriage or marriages to the local registrar of the district in which said marriage or marriages were solemnized or contracted. A separate form shall be used for each marriage reported. All such certificates shall be filed according to their dates.

That for each marriage certificate properly and completely made out and registered with the local registrar or local subregistrar of the district in which the marriage occurred the maker thereof shall receive the sum of 10 cents. The local registrar shall certify to the State registrar the amount thus due each person on the first day of each year. The State registrar shall then draw by warrant from the county treasurer of each county the amount due each person for said certificates in each county, provided said amount shall tally with the marriage certificates registered in the bureau of vital statistics, and shall immediately on receiving said moneys from said county treasurer pay said persons as provided in this section. Any person or clerk of record, as in this section hereinbefore designated, shall within 24 hours report said marriage to the State registrar of vital statistics on a form supplied by the State registrar. This form shall contain the following information: Name of groom, residence of groom, name of bride, residence of bride, date of marriage, place of marriage, name of person or clerk solemnizing marriage.

This report shall in no way supplant or relieve any responsibility for filing a certificate of the marriage as provided for in this act. Any person or clerk failing to make a report as herein provided shall be liable to the penalties provided in section 14 of this act.

SEC. 11. If any person or clerk of any society, by or before whom marriages may be solemnized, shall neglect or refuse to comply with the duties imposed on such person or persons, by any part or parts of this act, he shall be fined not less than \$5 or more than \$25 for each and every case so neglected or refused; to be recovered before any justice of the peace. No penalties under this section to interfere with the specific penalties laid down in section 14 of this act.

SEC. 12. It shall be the duty of the clergymen, or ministers of religion of all denominations, and all clerks or keepers of records of societies, and all other persons, by or before whom any marriage may hereafter be solemnized, or contracted, on or before the 1st day of July, 1913, and hereafter of all such persons as may occupy the positions herein mentioned in this State, to report his, or her, or their name or names, their occupations and places of residence, to the State registrar of vital statistics to have the same alphabetically registered in a suitable book to be by him provided for the purpose. In the event of any of the persons above specified removing to any other place of residence within the State, it shall be the duty of such person to notify

the State registrar of vital statistics of the fact within 30 days after such removal; and if any person as above mentioned shall neglect or refuse to comply with the requirements of this section, he shall be fined not less than \$5, nor more than \$10; to be recovered as provided in section 16.

SEC. 13. That all marriages in the State shall be immediately registered in the districts in which they occur, as provided by this act. It shall be the duty of any person, and of the clerk or keeper of the records of any religious society, by or before whom any marriage or marriages may hereafter be solemnized or contracted, to make full and complete return of the same, on blanks furnished by the State registrar of vital statistics, on or before the last day of the month in which said marriage or marriages were solemnized or contracted, to return the certificate or certificates of such marriage or marriages to the local registrar of the district in which said marriage or marriages were solemnized or contracted. Said certificate shall contain:

- (1) Date of this marriage.
- (2) Full name of groom.
- (3) Groom's present residence.
- (4) Age of groom.
- (5) Race of groom.
- (6) Occupation of groom.
- (7) Nativity of groom.
- (8) Is groom single, married, or divorced.
- (9) Name of groom's father and his nativity.
- (10) Maiden name of groom's mother and her nativity.
- (11) Number of groom's marriage.
- (12) Full name of bride.
- (13) Bride's present residence.
- (14) Age of bride.
- (15) Race of bride.
- (16) Nativity of bride.
- (17) Is bride single, widowed, or divorced.
- (18) Bride's maiden name, if widowed or divorced.
- (19) Name of bride's father and his nativity.
- (20) Name of bride's mother and her nativity.
- (21) Number of bride's marriage.
- (22) Name of person performing ceremony.
- (23) Residence of person performing ceremony.
- (24) Occupation, and, if a clergyman, religious denomination of person performing ceremony.
- (25) Name and residence of witness or witnesses (not more than three) to the marriage.

All returns shall be made on forms furnished by the State registrar. A separate form shall be used for each marriage reported. All such certificates shall be filed according to their dates.

SEC. 14. If any clergyman, or person, or clerk of any society by or before whom marriages may be solemnized shall neglect or refuse to comply with the duties imposed on such person or persons by any part or parts of this act, shall be fined not less than \$5 or more than \$25 for each and every case so neglected or refused, to be recovered before any justice of the peace. No penalties under this section to interfere with the specific penalties laid down in section 16 or any other section of this act.

SEC. 15. That any clerk of the peace or magistrate issuing a marriage license shall, within 24 hours, notify the State registrar of vital statistics of such fact on a form supplied by the State registrar of vital statistics. This form shall contain the following information: (1) Name of groom, (2) residence of groom, (3) name of bride, (4) residence of bride, (5) date of issuing said license, (6) name of person issuing said license.

That any clerk of the peace or magistrate violating any provisions of this section shall be fined as provided for in this act.

SEC. 16. That local registrars are hereby charged with the strict and thorough enforcement of the provisions of this act in their several districts, under the supervision and direction of the State registrar. And they shall make an immediate report to the State registrar of any violation of this law coming to their notice by observation or upon complaint of any person, or otherwise. The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to the end that all of its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by accredited representative, and all local registrars shall aid him, upon request, in such registration. For any violation of this act or parts thereof the State registrar may bring action against the violator before any justice of the peace and from his decision there shall be no appeal. When he shall deem it necessary, he shall report cases of violation of any of the provisions of this act to the attorney general of Delaware, with a statement of the facts and circumstances; and when any such case is reported to him by the State registrar, the attorney general shall forthwith initiate and promptly follow up the necessary proceedings against the parties responsible for the alleged violations of law.

SEC. 17. That the sum of \$1,000, or such portion thereof as may be necessary to carry into effect the provisions of this act, annually shall be appropriated for the carrying into effect the provisions of this act, and the same is hereby appropriated out of any funds in the hands of the State treasurer not otherwise appropriated, and for the annual expenses of the same thereafter. The said appropriation shall be paid to the State board of health as other funds are paid to them, and said appropriation shall be known as vital-statistics appropriation.

SEC. 18. That the State registrar shall furnish postal cards and stamped envelopes, and such other stationery as may be necessary for the proper carrying into effect the provisions of this act. All such cards and envelopes shall be marked: "State board of health, official business." Any person using such State property for any but official business shall, on conviction thereof, be fined not less than \$50 nor more than \$200.

The above-mentioned postal cards or stamped envelopes or stationery may be used for reporting any contagious or infectious diseases to the State registrar of vital statistics or any official of the State board of health, or for any official business of said State registrar or State board of health, or to the same.

SEC. 19. No system for the registration of marriages shall be continued or maintained in any of the several municipalities of this State, unless they are in harmony with the provisions of this act.

SEC. 20. That from the decision of the justice of the peace, under any of the provisions of this act, there shall be no appeal.

SEC. 21. The secretary of state is hereby authorized and directed to have 1,000 copies of this act printed and delivered to the State registrar within 60 days after the passage of this act.

SEC. 22. That any section or sections of this act, or part or parts of such, may be put into operation by the State board of health and have the force of law, at any time before July 1, 1913.

That on July 1, 1913, every section of this act shall be in force.

SEC. 23. That all fines recovered under this act before any justice of the peace shall be paid to the treasurer of the State and applied to the general fund of the State.

That the costs in all cases shall be paid by the person fined.

SEC. 24. That on and after January 1, 1914, all yearly statistical reports shall begin on January 1.

SEC. 25. That all acts and parts of acts inconsistent with the provisions of this act, or supplied by this act, are hereby repealed.

DISTRICT OF COLUMBIA.

Pellagra—Reporting of Cases of—Duties of Health Officer. (Order May 27, 1913.)

That every person in charge of any patient in the District of Columbia who is suffering from pellagra, immediately after becoming aware of the existence of such disease, shall send to the health officer of said District a certificate, written in ink, signed by such person, stating the name of the disease, the name, age, sex, and color of the person suffering therefrom, and the school which he or she has attended, if any, and setting forth by street and number, or by other sufficient designation, the location of the house, room, or other place in which said patient can be found. When said patient recovers or leaves the District of Columbia said person in charge, as soon as possible thereafter, shall send to the health officer of said district a certificate, written in ink, certifying to that fact; but in event of the death of such person, the filing of the usual death certificate required by law shall be a sufficient report of that fact.

SEC. 2. The term "person in charge of any patient," as used in these regulations, shall be held to mean, first, each physician in attendance on, called in to visit, or examining a patient, unless called in to visit or examining the patient solely as a consultant to a physician already in attendance; second, in the absence or disability of any physician aforesaid, or in event of default on the part of such physician, the head of the family to which the patient belongs; third, in the absence or disability of such person, or in event of default on the part of the physician aforesaid, the nearest relative or relatives of such patient present on the premises and in attendance on such patient; fourth, in the absence or disability of all persons aforesaid or in the event of default on the part of the physician aforesaid, every person in attendance on such patient. And in the cases of physicians and of persons acting in the capacity of physicians, attending, visiting, or examining any patient suffering from pellagra shall be prima facie evidence that any person so doing was aware of the nature of such disease.

SEC. 3. The health officer shall make such investigations into the nature and origin of cases of pellagra occurring in the District of Columbia as in his judgment may be necessary, and shall cooperate with persons having charge of patients suffering from pellagra as he deems needful for the determination, if possible, of the origin of the disease. And in the discharge of each and every of the duties herein imposed, the health officer may act not only in person but also through employees in the service of the health department, duly designated by him for that purpose.

SEC. 4. No person shall interfere with the health officer or with any officer, employee, or agent of the health department in the enforcement of these regulations.

SEC. 5. Any person who violates any of the provisions of these regulations shall be punished, upon conviction thereof, by a fine not exceeding \$50 for the first offense, and for each subsequent offense, by a fine not exceeding \$100.

Tuberculosis—School Children. (Reg. of Comrs., Oct. 4, 1913.)

Section 19 of the rules governing the medical inspection of public schools in the District of Columbia was amended by the addition of the following:

"A pupil who has been excluded because suffering from a communicable form of tuberculosis may be permitted to return only on the presentation of a certificate issued by the health officer authorizing him so to do."

FLORIDA.

Communicable Diseases—Notification of Cases of. (Reg. Bd. of H., June 10, 1913.)

Rule 1¹ of the regulations of the State board of health, adopted February 27 and 28, 1912 (Public Health Reports, Dec. 6, 1912, p. 2031), was amended so as to include tuberculosis and typhoid fever in the list of diseases which are to be reported to the State board of health or its representative by physicians or other persons having charge of patients.

Venereal Diseases—Distribution of Literature Concerning. (Reg. Bd. of H., June 10, 1913.)

Rule 67² of the regulations of the State board of health, adopted February 27 and 28, 1912 (Public Health Reports, Dec. 6, 1912, p. 2041), was amended so as to include "venereal diseases" in the list of diseases the nature and danger of which are to be explained in literature to be distributed by local health officers and representatives of the State board of health.

Hotels and Restaurants—Licensing, Inspection, and Regulation. (Act June 7, 1913.)

SECTION 1. There is hereby created a hotel commission in the State of Florida for which the usual facilities for transacting its business shall be furnished the same as for other executive departments of the State government.

SEC. 2. The governor of this State is hereby required to appoint a hotel commissioner, who shall constitute the hotel commission whenever that term shall be used in this act, and who shall furnish a bond of \$2,000, approved by the secretary of State, and there is devolved upon him the duty of executing all the provisions of this act and all other acts now in force or which may hereinafter be enacted relating to hotels and restaurants. Said hotel commissioner shall receive a salary of \$2,000 per annum and traveling expenses. Said hotel commissioner shall keep accurate account of all the expenses of the said hotel commission and shall file monthly itemized statements of such expense with the auditor of public accounts, together with an account of all fees collected from applications for hotel and restaurant licenses. He shall hold office at the pleasure of the governor and shall aid in the discharge of all the duties which shall devolve upon the hotel commission. He is hereby authorized and required to make such rules and regulations as are necessary to carry out the provisions of this act, in accordance with its true intent, and is to assist in the enforcement of any orders promulgated by the State board of health and pure-food department of this State relating to hotels and restaurants.

SEC. 3. That every building or other structure, and all buildings in course of construction, kept, used, maintained as or advertised as, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay, to transient guests, in which five or more rooms are used for the accommodation of such transient guests and having one or more dining rooms or cafés where meals or lunches are served to such transient guests, such sleeping accommodations and dining rooms being conducted in same building, and under the same management shall, for the purpose of this act, be deemed a hotel, and only such above-described business shall have the right to the use of the name hotel, in connection with their business, and upon proper application the hotel commission of this State shall issue to such above-described business a license to conduct a hotel.

¹ Reprint No. 200, p. 37.

² Ibid., p. 50.

SEC. 4. That every building or other structure, and all outbuildings in connection, kept, used, maintained as, or advertised as, or held out to the public to be a place where meals and lunches are served without sleeping accommodations shall, for the purpose of this act, be defined to be a restaurant, and the person or persons in charge thereof, whether as owner, lessee, manager, or agent, for the purpose of this act, be deemed the proprietor of such restaurant, and whenever the word restaurant shall occur in this act it shall be construed to mean every such structure as described in this section.

SEC. 5. That on or before January 1, 1914, and each year thereafter, every person, firm, or corporation now engaged in the business of conducting a hotel or restaurant, or both, and every person, firm, or corporation who shall hereafter engage in conducting such business shall procure a license for each hotel or restaurant so conducted or proposed to be conducted: *Provided*, That one license shall be sufficient for each combined hotel and restaurant where both are conducted in the same building and under the same management. Each license shall expire on the 30th day of September next following its issuance. And no hotel or restaurant shall be maintained and conducted in this State after the taking effect of this act without a license therefor, and no license shall be transferable.

SEC. 6. The fee for a license to conduct a hotel and restaurant in this State shall be \$2, which shall be paid, before said license is issued, to the deputy hotel commissioner, who shall on the first day of each month pay into the State treasury all fees collected for license issued during the preceding month.

SEC. 7. The hotel commissioner shall, upon request therefor, furnish to any person, firm, or corporation desiring to conduct a hotel or restaurant the necessary application blank for a license, which the applicant shall fill in, stating the full name and address of the owner and agent of the building, or both, the lessee and manager of such hotel or restaurant, together with a full description of the building and property to be used or proposed to be used for such business, and stating the location of same, which application, upon its return to the hotel commissioner, shall be accompanied by the license fee of \$2.

SEC. 8. It is hereby made the duty of the hotel commissioner to inspect, or cause to be inspected, at least annually, every hotel and restaurant in the State, and for that purpose he shall have the right of entry and access thereto at any reasonable time; and whenever upon such inspection of any hotel or restaurant it shall be found that such business and property so inspected is not being conducted or is not equipped in the manner and condition required by the provisions of this act it shall thereupon be the duty of the hotel commissioner to notify the owner, proprietor, or agent in charge of said business, or the owner or agent of the building so occupied, of such changes or alterations as may be necessary to effect a complete compliance with the provisions of this act. It shall thereupon be the duty of such proprietor or agent in charge of such business to make such alterations or changes as may be necessary to put such building and premises in a condition that will fully comply with the requirements of this act: *Provided, however*, That 30 days' time after receipt of such notice shall be allowed for conforming to the requirements of sections 16, 17, 18, 19 of this act and 60 days' time for conforming to the requirements of sections 10, 11, 12, 13, 14, 15: *And provided, further*, That the proprietor or managing agent in charge of such business shall not be required to comply with the requirements of sections 10, 11, 12, 13, 14, 15 whenever the notice herein provided for and criminal process can be served upon the owner of the building occupied by such business, who in such case shall be responsible for the performance of the requirements of such sections.

SEC. 9. Every person, firm, or corporation, who shall fail or refuse to comply with the provisions of sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and whose duty it is to so comply as provided in said sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, shall be deemed guilty of a misdemeanor and shall be subject to a fine of \$5 for each and every day he may fail or refuse to so comply; and if for 30 days after any final conviction,

or any such violation, he or they still fail or refuse to comply with said sections mentioned in such notice, the building and premises involved may be closed for use as such hotel or restaurant until all the provisions of this act shall be complied with, upon 5 days' notice thereof from the hotel commissioner.

SEC. 10. Every hotel and restaurant in this State shall be properly plumbed, lighted, and ventilated, and shall be conducted in every department with strict regard to health, comfort, and safety of the guests: *Provided*, That such proper lighting shall be construed to apply to both daylight and illumination, and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles, and that such proper ventilation shall be construed to mean at least one door and one window in each sleeping room, also a transom as wide as the door leading into the hallway. No room shall be used for a sleeping room which does not open to the outside of the building or light wells, air shafts, or courts, and all sleeping rooms shall have at least one window and one door with a transom. In each sleeping room there must be at least one window with opening so arranged as to provide easy access to the outside of building, light wells, or courts.

SEC. 11. In all cities, towns, and villages where a system of waterworks and sewerage is maintained for public use every hotel and restaurant therein operated shall, within six months after the passage of this act, be equipped with suitable water-closets for the accommodation of its guests; which water-closet or closets shall be connected by proper plumbing with such sewerage system and means of flushing such water-closet or closets with the water of said system in such manner as to prevent sewer gas or effluvia from arising therefrom. All lavatories, bathtubs, sinks, drains, closets, and urinals in such hotels or restaurants must be connected and equipped in a similar manner both as to methods and time.

SEC. 12. In all cities, towns, and villages not having a system of waterworks, every hotel or restaurant shall have properly constructed privies or over vaults, the same to be kept clean and well screened at all times and free from all filth of every kind, furnishing separate apartments for sexes, each being properly designated.

SEC. 13. Each hotel or restaurant in this State shall be provided with a main public wash room, convenient and of easy access to guests.

(Sections 14, 15, and 16 relate to fire escapes, construction of halls, and fire extinguishers.)

SEC. 17. All hotels and restaurants in this State shall hereafter, in the said main public wash room and in view and reach of guests during the regular meal hours, and where no regular meal hours are maintained then between the hours of 6.30 a. m. and 9 a. m., and 11.30 a. m. and 2 p. m., and 6 p. m. and 8 p. m., and in each bedroom, furnish each guest with two clean individual towels so that no two or more guests will be required to use the same towel unless it has been first washed. Such individual towels shall not be less than 10 inches wide and 15 inches long after being washed.

SEC. 18. All hotels hereafter shall provide each bed, bunk, cot, or other sleeping place for the use of guests with pillow slips and under and top sheets. Each sheet to be made 99 inches long and of sufficient width to completely cover the mattress and springs: *Provided*, That a sheet shall not be used which measures less than 90 inches after being laundered. Said sheets and pillow slips to be made of white cotton or linen, and all such sheets and pillow slips after being used by one guest must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest. And further provide mosquito nets of sufficient dimensions to cover each bed, bunk, cot, or other sleeping place for the use of guests.

SEC. 19. All bedding, including mattresses, quilts, blankets, pillows, sheets, and comforts, used in any hotel in this State must be thoroughly aired, disinfected, and kept clean: *Provided*, That no bedding, including mattresses, quilts, blankets, pil-

lows, sheets, or comforts, shall be used which are worn out or are unfit for further use: *Provided further*, That after six months after the passage of this act no mattress on any bed in a hotel shall be used which is made of moss, sea-grass excelsior, husks, or shoddy. Any room in any hotel or restaurant infested with vermin or bedbugs shall be fumigated, disinfected, and renovated until said vermin or bedbugs are exterminated.

SEC. 20. The deputy hotel commissioner is hereby empowered to appoint and employ such office help and traveling inspectors as are necessary to carry out the terms of this act. Such inspectors shall be under the control and direction of the hotel commission and shall receive such compensation as shall be fixed by the hotel commission, not to exceed \$1,200 per annum, payable monthly, together with all necessary traveling expenses.

SEC. 21. All notices to be served by the hotel commissioner provided for in this act shall be in writing and shall be either delivered personally or by registered letter to the owner, agent, lessee, or manager of such building and premises or the owner, agent, lessee, or manager of such hotel or restaurant. Any person, firm, or corporation who shall operate a hotel or restaurant in this State or who shall let a building used for such business without first having complied with the provisions of this act shall be guilty of a misdemeanor and shall be fined in the sum of \$5 for each and every day he or they shall be found guilty of such noncompliance with this act, together with costs of suit.

SEC. 22. The county attorney of each county in this State is hereby authorized and required, upon complaint on oath of the hotel commissioner or other person, to prosecute to termination before any court of competent jurisdiction in the name of the State of Florida a proper action or proceeding against any person or persons violating the provisions of this act, and he shall make immediate report to State attorney.

SEC. 23. Such money as may be necessary shall be appropriated out of the general fund of the State for the purpose of carrying into effect the provisions of this act.

SEC. 24. On 60 days' notice from the passing of this law all hotels and restaurants shall screen all outside doors and windows in such manner as will meet approval of hotel inspector, in accordance with section 9 of this act.

SEC. 25. All previous acts conflicting with this act are hereby repealed.

Sewage—Disposal of. (Act June 7, 1913.)

SECTION 1. That the term "underground waters of the State," when used in this act, shall include all underground streams and springs and underground waters within the borders of the State of Florida, whether flowing in underground channels or passing through the pores of the rocks.

SEC. 2. No municipal corporation, private corporation, person, or persons within the State shall, after the passing of this act, use any cavity, sink, driven or drilled well now in existence, or sink any new well within the corporate limits, or within 5 miles of the corporate limits, of any incorporated city or town, or within any unincorporated city, town, or village or within 5 miles thereof, for the purpose of draining any surface water or discharging any sewerage into the underground waters of the State, without first obtaining a written permit from the State board of health.

SEC. 3. Every such permit for the discharge of sewerage, or surface water, shall be revocable or subject to modification or change by the State board of health, on due notice, after an investigation and hearing, and an opportunity for all interests and persons interested therein to be heard thereon, said notice or notices being served on the person or persons owning, maintaining, or using the well, cavity, or sink, and by publication for two weeks in a newspaper published in the county in which said well, cavity, or sink is located. The length of time after the receipt of the notice within which it shall be discontinued may be stated in the permit. All such permits before becoming

operative shall be filed in the office of the clerk of the circuit court for the county in which such permit has been granted.

SEC. 4. For the purpose of this act, sewerage [sic] shall be defined as any substance that contains any of the waste products or excrementious or other discharges from the bodies of human beings or animals.

SEC. 5. Every individual, municipal corporation, private corporation, or company shall discontinue the discharge within the corporate limits, or within 5 miles of the corporate limits of any incorporated city or town, or within any unincorporated city, town, or village, or within 5 miles thereof, of sewerage or surface drainage into any of the underground waters of the State within 10 days after having been so ordered by the State board of health.

SEC. 6. Any municipal corporation, private corporation, person or persons that shall discharge sewerage or surface drainage, or permit the same to flow into the underground waters of the State, contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and shall upon conviction be punished by a fine of \$25 for each offense, and the doing of the prohibited act for each day shall constitute a separate offense, or by imprisonment not exceeding one month, or both, at the discretion of the court.

SEC. 7. All laws or parts of laws in conflict with the provisions hereof are hereby repealed.

HAWAII

Quarantine—Discharge from. (Res. Bd. of H., Nov. 17, 1913.)

No person who has been quarantined for Asiatic cholera, diphtheria, leprosy, plague, scarlet fever, scarlatina, tetanus, typhus fever, variola, varioloid, yellow fever, or any other contagious or infectious disease, where on account of the surroundings and for the protection of the public health it has been necessary to establish a quarantine, shall be discharged therefrom except upon a written order of the board of health or its duly authorized agent.

Top Minnows—Protection of. (Act 75, Apr. 14, 1913.)

SECTION 1. It shall be unlawful for any person to fish for, or take from, or be engaged in fishing for, or taking from, or to kill or to destroy in any of the waters of the Territory any fish known as top minnows.

SEC. 2. Nothing in this act contained shall be construed to prohibit the Territorial board of health or its agents or inspectors, or any person having a permit from the said board of health, from taking, moving, or handling such fish, or from taking or using the same for public health or scientific purposes in such manner as such board or its agents or inspectors may deem necessary or proper.

SEC. 3. Any person violating any of the provisions of this act shall upon conviction be punished by a fine of not more than \$100.

SEC. 4. This act shall take effect upon its approval.

Board of Health—Power to Make Regulations. (Act 63, Apr. 10, 1913.)

SECTION 1. Section 991, Revised Laws, as amended by act 42, Laws of 1905, and act 132, Laws of 1911, is hereby amended to read as follows:

"SEC. 991. *Regulations.*—The board of health, with the approval of the governor, may make such regulations respecting nuisances, foul or noxious odors, gases or vapors, water in which mosquito larvæ breed, sources of filth, causes of sickness or disease, within the respective districts of the Territory, and on board of any vessel; as also respecting adulteration and false branding of food; location, air space, ventilation, sanitation, drainage, and sewage disposal of buildings, courts, areas, and alleys; privy vaults and cesspools; fish and fishing; interments and dead bodies; cemeteries and burying grounds; laundries, stables, bakeries, poi shops, abattoirs, fish, meat or vegetable stores or markets, hotels, lodging houses, tenements, or any place or building where noisome or noxious trades or manufactures are carried on, or intended to be carried on; milk; poisonous drugs; pig and duck ranches, as it shall deem necessary for the public health and safety."

SEC. 2. This act shall take effect upon its approval.

Board of Health—Civil-Service Rules for. (Act 119, Apr. 26, 1913.)

SECTION 1. There is hereby established a civil-service commission consisting of three members, who shall be appointed by the governor in the manner prescribed by section 80 of the organic act and shall hold office for two years or until their successors are appointed and qualified. Said members shall serve without pay, and two of them shall constitute a quorum. Not more than any two members of the said commission shall belong to the same political party when appointed. The secretary of the Territorial board of health shall act as secretary and keep the minutes and records of said commission without additional compensation.

SEC. 2. The commission shall classify all places of employment now existing or hereafter created in or under the Territorial board of health, except the places and offices specified in section 7 hereof. The places so classified shall constitute the classified service of the Territorial board of health, and no appointment to any such place shall be made, except with the approval of the commission and in accordance with its rules and regulations.

SEC. 3. The commission, with the approval of the governor, shall from time to time make such rules and regulations to govern the selection and appointment of persons to be employed in or under the Territorial board of health as in its judgment shall secure to it the best service, and such rules and regulations, when so approved and after having been published once a week for three successive weeks in a newspaper of general circulation in the city and county of Honolulu, shall have the force and effect of law. Such rules and regulations shall provide for ascertaining as far as possible the physical and educational qualifications, habits and reputation, and standing and experience of all applicants and shall provide for a competitive examination of all applicants in such subjects as shall be proper for the purpose of best determining their qualifications for the places sought. Such rules and regulations may provide for the classification of positions and for a special course of inquiry and examination for candidates for each class and shall, with the approval of the governor, be subject to modification or repeal by the commission.

SEC. 4. Such examination shall be public and free to all citizens of the Territory, and to all persons eligible to become such, over 20 and under 60 years of age, with proper limitations as to residence, health, habits, and character. Such examinations shall be practical in their character, and may include tests of manual skill and physical strength. The commission shall control all such examinations, and may designate a suitable person or persons to conduct them.

SEC. 5. Whenever any person has been appointed under the provisions of this act and of the rules and regulations made, approved, and published in conformity herewith in or under the Territorial board of health, he shall hold such position or appointment during good behavior, subject to removal only as provided in said rules and regulations.

SEC. 6. Vacancies and new positions shall be filled by promotion or appointment, as the case may be, of persons then in the service, whenever practicable, and, in the opinion of the commission and of the Territorial board of health, for the best advantage of said board; otherwise, from persons who have satisfactorily passed the examination prescribed by the commission for the particular position or vacancy to be filled.

SEC. 7. This act shall not apply to the president, secretary, or members of the Territorial board of health, the bacteriologists and pathologists of the Territory, the physicians in charge of and treating tuberculosis, the government physicians, and the employees engaged in the segregation and treatment of leprosy. Provided, however, that nothing in this act shall be construed to prohibit the Territorial board of health from employing any help that may be found necessary in times of epidemic.

SEC. 8. This act shall not be construed to require the examination of any person at present employed in or under the Territorial board of health.

SEC. 9. This act shall take effect upon its approval.

Appropriation for Board of Health. (Act 46, Apr. 1, 1913.)

SECTION 1. The following additional sums are hereby appropriated for the following objects for the biennial period ending June 30, 1913, out of moneys in the Treasury received from the general revenues: * * *

Board of health:

Quarantine, fumigation, disinfection, medical service, medical supplies, suppression of contagious diseases.....	\$10,000
Rat campaign, territory.....	2,000
Mosquito campaign, territory.....	10,000
Segregation, hospitals, maintenance, and improvements.....	7,500

Appropriation for Board of Health. (Act 168, Apr. 30, 1913.)

SECTION 1. The following sums are hereby appropriated, for the objects hereinafter expressed, for the biennial period ending June 30, 1915, out of moneys in the Treasury received from the general revenues: * * *

BOARD OF HEALTH.	
General:	
President (\$325).....	\$7,800
Secretary, clerks, stenographers, janitors, messengers, expenses.....	27,500
	<u>35,300</u>
Sanitation:	
Sanitary engineer (\$250).....	6,000
Chief sanitary inspector, Oahu (\$200).....	4,800
Chief sanitary inspector, Hawaii (\$200).....	4,800
Chief sanitary inspector, Maui (\$150).....	3,600
Chief sanitary inspector, Kauai (\$150).....	3,600
District sanitary inspector, Oahu (\$100).....	2,400
District sanitary inspector, Hawaii (\$100).....	2,400
Two assistant district sanitary inspectors, Hawaii (\$180).....	4,320
District sanitary inspector, Maui (\$90).....	2,160
District sanitary inspector, Kauai (\$90).....	2,160
Sanitary inspectors, Honolulu.....	30,000
Three sanitary inspectors, Hilo (\$80 each).....	5,760
Clerk, Hilo (\$75).....	1,800
	<u>73,800</u>
Expenses, Territory.....	12,500
Pure food:	
Food commissioner and analyst (\$250).....	6,000
Assistant (\$90).....	2,160
Expenses.....	3,000
	<u>11,160</u>
Medical and quarantine services and supplies:	
Bacteriologist and pathologist, Oahu (\$200).....	4,800
Bacteriologist and pathologist, Hawaii.....	4,800
Laboratory assistants, Territory.....	4,000
Laboratory equipment and expenses.....	4,000
Pay of government physicians:	
<i>Provided, however, That no salary shall be allowed or paid unless the physicians employed or appointed in the several districts to which they are appointed shall treat the indigent sick free of charge in such district or districts, as the case may be, to which they are appointed.</i>	
Hawaii.....	19,000
Maui and Molokai.....	10,000
Kauai.....	6,600
Oahu.....	6,600
	<u>42,200</u>
Bureau of child hygiene.....	2,000
Quarantine, fumigation, disinfection, medical service, medical supplies, and suppression of contagious diseases.....	48,000
Prevention and cure of tuberculosis.....	38,000
Aid to Leahi Home.....	24,000
Aid to Puumale Home, Hilo.....	8,400
Aid to Maui County Farm and Sanitarium.....	6,000
Aid to tuberculosis ward, Lihue Hospital, Kauai.....	2,400
Aid to tuberculosis ward, Waimea Hospital, Kauai.....	2,400
Vaccination supplies.....	3,450
Rat campaign, Territory.....	24,000
Mosquito campaign, Territory.....	30,000
Repairs, alterations, extension, equipment, quarantine station, Honolulu.....	4,000
Repairs, alterations, extension, equipment, quarantine station, Hilo.....	2,000
Erection, equipment, maintenance morgue, Hilo, to be built under the direction of the board of health.....	3,500
	<u>247,950</u>

Care of lepers and their children:

Medical and surgical supplies, treatment and equipment.....	\$60,000
General pay roll.....	70,000
Segregation, hospitals, maintenance, rations, and improvements.....	203,500
Amusements.....	2,000
Moving-picture room, Kalihi Hospital.....	500
Sheriff and police (\$120).....	2,880
Road repairs.....	4,500
Store.....	65,000
New buildings.....	25,000
Postage and freight.....	3,000
Live stock.....	750
	<hr/> 437,130

Kapiolani Girls' Home:

Pay roll.....	6,000
Maintenance.....	14,000

Kalihi Boys' Home:

Pay roll.....	7,000
Maintenance.....	13,000
	<hr/> 40,000

Insane asylum:

Superintendent (\$200).....	4,800
Pay roll.....	45,000
Maintenance.....	57,500
Buildings.....	10,000
	<hr/> 117,300

Appropriation for Relief of Persons Released from Leper Settlement. (Act 24, Mar. 31, 1913.)

SECTION 1. There shall be and hereby is appropriated the sum of \$5,000 from the public treasury for the purpose of aiding indigent persons who have been segregated at the Leper Settlement on Molokai, or who have been discharged from the Kalihi Hospital at Kalihi, Oahu, and found free of the disease known as leprosy and ordered to leave the places before mentioned, which shall be drawn upon from time to time by the president of the board of health in such amounts as may be allowed by the board of health, for the relief of such persons.

SEC. 2. This act shall take effect upon its approval.

Appropriation—Leper Settlement—Jail and Jailer's House. (Act 90, Apr. 19, 1913.)

SECTION 1. The following additional sums are hereby appropriated for the following objects out of moneys in the treasury received from the general revenues: * * * Jail of concrete and jailer's house, leper settlement, which may be constructed by the board of health, without contract or advertisement for tenders, \$5,000.

Personal Property of Deceased Lepers—Disposal of. (Act 105, Apr. 23, 1913.)

SECTION 1. That whenever, by reason of the death of any leper, or of any kokua, resident in the county of Kalawao, or suspect in the Kalihi Hospital, city and county of Honolulu, Territory of Hawaii, and the want of an executor or administrator, any personal property or moneys have or shall come into the possession of the board of health, the secretary of the board of health is hereby empowered to receive such personal property or moneys and to distribute the same, upon the approval of the attorney general, to the persons satisfactorily proven to him to be the persons who would be entitled to the personal estate of the decedent by the terms of the laws of Hawaii, relating to the distribution of estates of intestates; provided, however, that before any such distribution shall be made, notice shall be given to any and all persons having claims to such personal property or moneys, or against any such deceased person, by publication once a week for four successive weeks in a newspaper, printed in both the

Hawaiian and English languages, of general circulation in the Territory of Hawaii, or by posting in three or more conspicuous places in the Territory, to appear and file the said claims.

SEC. 2. That all such claims not presented within one year after the date of publication or posting of the said notice shall be forever barred.

SEC. 3. If the claims against such deceased persons exceed in amount such moneys, then and in such case the said secretary shall convert such other personal property into cash, or so much thereof as may be necessary, and pay such claims; or if there still be insufficient funds for such purpose, then the said secretary shall divide the same pro rata among the creditors of such deceased person.

SEC. 4. That where no such claim to any such personal property or moneys is made or when any balance remains after the payment of any and all claims made within the time hereby limited, the secretary of the board of health is hereby required to convert the said personal property, if there be any, into cash and to deposit immediately the said cash or moneys or balance of the same in the treasury of the Territory of Hawaii as a Government realization.

SEC. 5. This act shall take effect upon its approval.

Potable Water—Purity Must be Certified. (Act 103, Apr. 23, 1913.)

SECTION 1. No water shall be furnished for potable purposes in the Territory by any person, firm, corporation, or organization of any kind, county, municipal, or Territorial department, whether for pay or without pay, except after a certificate first obtained of the Territorial board of health setting forth that said board has examined the potability of the water intended to be furnished, the source of its supply, the system of its distribution, and that the water, source, and system of distribution are reasonably free from contamination and pollution and that the water at the time is in the opinion of the board suitable for potable purposes without danger to public health.

SEC. 2. No person, firm, corporation, or organization of any kind, county, municipal, or Territorial department shall continue to furnish water for potable purposes after written notice from the Territorial board of health that the water, the source of supply, or system of distribution is not free from contamination or pollution and that the water is in the opinion of the board unsuitable for potable purposes and dangerous to public health.

SEC. 3. Any person, firm, corporation, or organization of any kind who shall furnish or continue to furnish water for potable purposes contrary to the provisions of this act shall upon conviction be punished by a fine of not more than \$100.

SEC. 4. This act shall take effect on January 1, 1914.

Notices—Penalty for Destroying or Defacing. (Act 94, Apr. 23, 1913.)

SECTION 1. Any person who shall maliciously destroy or deface any notice put up in compliance with any statute, order of court, or order of the Territorial board of health, before the expiration of the period of such notice, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not to exceed \$100.

SEC. 2. This act shall take effect from and after the date of its approval.

Births, Marriages, and Deaths—Registration of. (Act 86, Apr. 19, 1913.)

SECTION 1. Section 1148, Revised Laws, is hereby amended to read as follows:

"SEC. 1148. '*Board*,' '*registrar*,' '*registrar general*,' defined.—Wherever in this chapter the word '*board*' is used, it shall refer to and mean the board of health of the Territory of Hawaii, unless the context shall indicate some other meaning. Wherever in this chapter the word '*registrar*' is used, it shall refer to and mean the registrar or registrars of births, deaths, and marriages, who shall be appointed by the board of health.

Whenever in this chapter the words 'registrar general' are used, they shall refer to and mean the registrar general of births, deaths, and marriages, who shall be appointed by the board of health and whose principal office shall be kept in the city and county of Honolulu."

SEC. 2. Section 1155, Revised Laws, as amended by act 131, Laws of 1909, is hereby amended to read as follows:

"SEC. 1155. *Records sent to the registrar general.*—It shall be the duty of each registrar at the end of each month to transmit to the registrar general a full copy of the records of births, deaths, and marriages made by him during said month, in such form and manner and upon such blanks as the board may require."

SEC. 3. Section 1157, Revised Laws, as amended by act 131, Laws of 1909, is hereby amended to read as follows:

"SEC. 1157. *Filing records.*—It shall be the duty of the registrar general to file the records of births, deaths, and marriages received from the several registrars, and as soon as practicable bind the same in compact form in the manner hereinafter provided. The records of births, deaths, and marriages, and the island and districts in which they occurred, shall each be kept separately in chronological order."

SEC. 4. Section 1159, Revised Laws, is hereby amended to read as follows:

"SEC. 1159. *Certified copies, evidence.*—The registrar general shall furnish to any person applying for the same a certified copy of the record of any birth, death, and marriage contained in any of the records kept under or by virtue of this chapter; such certified copy shall be competent evidence in any court of the fact therein contained, for which certified copy the sum of one dollar shall be charged and paid and accounted for to the treasury."

SEC. 5. This act shall take effect upon its approval.

Buildings—Permits for Erection or Use to be Issued only after Certification by Board of Health. (Act 80, Apr. 15, 1913.)

SECTION 1. Section 992a, Revised Laws, as enacted by section 3 of act 132, Laws of 1911, is hereby amended to read as follows:

"SEC. 992a. No permit or license shall be issued by any county or city and county officer for the erection, maintenance, use, or operation of any building for which a permit or license may be issued by such county or city and county officer under the provisions of act 93 and of act 97 of the Session Laws of 1911, or under the provisions of any ordinance made in pursuance of said act or acts, and amendments thereto, nor for the erection, maintenance, use, or operation of any bakery, laundry, poi shop, abattoir, stable, fish, meat, or vegetable store or market, hotel, tenement, lodging house, or any place or building where noisome or noxious trades or manufactures are carried on, or intended to be carried on, for which a permit or license may be issued by such county or city and county officer under said acts or any other acts, except upon a certificate of the board of health, which certificate shall be furnished free of charge, setting forth that an agent of said board has examined the place, land, and building on, in, or to which it is proposed to erect, move, maintain, use, or operate said building, bakery, laundry, poi shop, abattoir, stable, fish, meat, or vegetable store, or market, hotel, tenement, lodging house, or place or building where noisome or noxious trades or manufactures are carried on or intended to be carried on, and that such place, land, or building is in a fit and sanitary condition suitable for the purpose for which the premises are intended to be used; that facilities have been provided therein and thereon for proper drainage and sewerage disposal; that provision has been made in the plans and specifications of proposed buildings, or of alterations of existing buildings, for proper ventilation and air space and for water and sewage disposal, and that the location is at the time a proper one for the nature of the business to be there carried on without danger to public health. No such permit shall be issued except upon a condition, which shall be embodied

in the permit and which shall be binding upon the licensee, that such place, land, or building shall be kept and maintained by the licensee in good sanitary condition in accordance with general health laws, regulations, and orders of the board of health during the term of the license. The board of health is hereby authorized to direct the cancellation of any such permit or license issued by any county or city and county officer, in case any such place, land, or building fails at any time and in any respect to meet the requirements of the general health laws, regulations, and orders of the board of health."

SEC. 2. This act shall take effect upon its approval.

Swill and Other Offensive Matter—Care and Transportation in the District of Honolulu. (Reg. Bd. of H., Aug. 14, 1913.)

SECTION 1. No person shall permit or have any offensive swill or other liquid substance on his premises or grounds, to the prejudice of life or health, whether for use in any trade or otherwise.

SEC. 2. No person or persons shall collect any offal or swill, decayed meat, fish, of any animal or vegetable matter, nor transport the same through any street, highway, or public place, except in water-tight securely covered containers from which no odor can escape and which will prevent spilling or leakage.

SEC. 3. All carts and vehicles for carrying swill, offal, or other nauseous or offensive substances, boxes, tubs, and receptacles in which any nauseous or offensive substances may be, or may be carried, shall be strong and tight and impervious to flies, and the sides shall be so high above the load or contents that no part of such contents or load shall fall, leak, or spill therefrom; and either the vehicle or vessel carried by it shall be so covered as to be inoffensive; and all such material shall be loaded or removed in a sanitary manner. Vehicles used for the conveyance of swill, offal, or other nauseous or offensive substances shall not be used at any time for the transportation or conveyance of any meat, fish, vegetable, or other foodstuffs which are to be utilized for human consumption at any time or under any circumstances.

SEC. 4. No person shall remove, transfer, convey, or transport any swill through or upon any of the public streets, public rights of way, public parks, or public places in the district of Honolulu between the hour of 9 in the morning and the hour of 5 in the evening of any day or between the hour of 9 in the evening of any day and the hour of 5 in the morning of the next day.

Swine—Keeping of, in the District of Honolulu. (Reg. Bd. of H., Aug. 14, 1913.)

SECTION 1. No person or corporation shall keep or allow to be kept upon premises in his or its possession within the district of Honolulu any swine without first securing a written permit from the board of health. Such permit shall expire on the 1st day of July annually and be subject to the conditions thereof.

SEC. 2. The owner, lessee, tenant, or occupant of any stall, stable, or apartment in which swine are kept or of any place in which manure, stable refuse, or any liquid discharge of such animals shall collect or accumulate shall cause such manure, stable refuse, or liquid to be promptly and properly removed therefrom, and shall at all times keep, or cause to be kept, such stall, stable, or apartment, and the drains, yard, and appurtenances thereof, in a clean and sanitary condition, so that no offensive odor shall be allowed to escape therefrom.

SEC. 3. Floors, assorting boards, feeding troughs, gutters, and leaders shall be made of suitable solid hardwood planks, concrete, or other impervious material, so laid that they may be flushed with water and with proper grades and channels to carry off all drainage. False or loose boards are forbidden unless laid on concrete or other impervious material and of such size that the same may be readily removed.

Sec. 4. Dung pits, refuse bins, swill boilers, and other like appurtenances shall be of such construction that no odor shall escape therefrom.

Sec. 5. It shall be unlawful to feed hogs any uncooked slaughterhouse offal or the uncooked flesh of dead animals.

Sec. 6. No person or persons shall collect or keep any hog or hogs in any pen or otherwise confine any hog or hogs within the district of Honolulu, so that the same shall become noisome or offensive to other persons residing in the neighborhood.

Nuisances—Defined. (Act 104, Apr. 23, 1913.)

SECTION 1. Section 3130 of the Revised Laws of Hawaii is hereby amended so as to read as follows:

"Sec. 3130. *Defined.*—The offense of common nuisance is the endangering of the public personal safety or health, or doing, causing, or promoting, maintaining or continuing what is offensive, or annoying and vexatious, or plainly hurtful to the public, or is a public outrage against common decency or common morality, or tends plainly and directly to the corruption of the morals, honesty and good habits of the people, the same being without authority or justification by law:

"As, for example, the carrying on a trade, manufacture, or business in places so situated that others indiscriminately, who reside in the vicinity, or pass in a highway or public place, or resort to a schoolhouse, meeting house, or any other place of legal and usual resort or assembly, are liable to be thereby injured, annoyed, disturbed, or endangered by deleterious exhalations, noisome vapors, hideous, alarming, or disgusting sights, intolerable noise, or otherwise; spreading or endangering the spreading of smallpox or other infectious disease; carrying an infected person, or causing him to pass through a frequented street; opening a hospital or pesthouse so as to endanger neighbors or the passers-by in a frequented street or otherwise; making or storing gunpowder in or near a populous or public or frequented place, without authority therefor, or otherwise making or storing the same contrary to law; blasting with excessive charge of giant powder or other explosives; making loud and troublesome noises by night; keeping animals that disturb the neighborhood by night; permitting ferocious or dangerous animals to go abroad; keeping a bawdyhouse; open lewdness or lascivious behavior or indecent exposure; keeping a common gambling house; keeping a disorderly house to the public disturbance and annoyance; selling, dealing in, having in possession or using sneezing powder or any similar substance other than snuff."

Sec. 2. This act shall take effect upon its approval.

IDAHO.

Communicable Diseases—Notification of Cases of—Quarantine—Disinfection— Schools—Disposal of Bodies. (Chap. 140, Act Mar. 12, 1913.)

(Section 1099 of House bill 171, Session Laws of 1909, and sections 1100, 1102, 1104, and 1106 of article 3, chapter 1, of title 3, Political Code, Revised Codes of Idaho, were amended to read as follows:)

SEC. 1099. Physicians to report certain diseases.—Any physician or other person called to attend any person who is suffering from smallpox, cholera, plague, yellow fever, typhus fever, diphtheria, membranous croup, scarlet fever, typhoid fever, infantile paralysis and cerebrospinal meningitis, or any other disease dangerous to the public health or required by the State board of health to be reported, shall report the name within 24 hours to the health officer within whose jurisdiction such person is found, giving in such report the name, age, sex, and color of the patient, and [the house or place in which such person may be found; and in the case of smallpox, cholera, plague, yellow fever, diphtheria, membranous croup, scarlet fever, or infantile paralysis and cerebrospinal meningitis, the attending physician shall at once declare a temporary quarantine, and shall prohibit entrance to or exit from such house; such temporary quarantine to remain in effect only until such time as the proper health officer can be notified and can act in the matter. In like manner it shall be the duty of the head of the family, and of the owner or agent of the owner of the building in which a person resides who has any of the diseases herein named or provided against, or in which are the remains of a person having died of any such disease, immediately after becoming aware of the fact, to give notice thereof to the health officer. When complaint is made or a reasonable belief exists that an infectious or contagious disease prevails in any house or any other locality which has not been reported as hereinbefore required, the board shall cause such house or locality to be inspected by its health officer, and discovery that such infectious disease prevails in any house or any other locality which has not been reported as hereinbefore required, the board shall cause such house or locality to be inspected by its health officer, and on discovering that such infectious or contagious disease exists, the board may, as it deems best, send such person to a quarantine hospital or other place provided for such persons, or may restrain them or other persons exposed within said house from intercourse with other persons, and prohibit ingress and egress to or from such premises. Any person, on whom a duty is imposed by the provisions of this section, who fails, neglects, or refuses to perform the same as herein required, and any persons who violates any regulation of the physician attending a person afflicted with any of the diseases above mentioned, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined a sum not exceeding \$50, or be imprisoned in the county jail not exceeding 90 days, or shall suffer both fine and imprisonment.

SEC. 1100. Quarantine of infected houses.—It shall be the duty of the local board of health, when a case of smallpox, cholera, plague, yellow fever, typhus fever, diphtheria, membranous croup, scarlet fever, infantile paralysis, and cerebrospinal meningitis or any other dangerous, contagious, or infectious disease is reported within its jurisdiction, to at once cause to be placed, in a conspicuous position on the house wherein any of the aforesaid diseases occur, a quarantine card having printed on it in large letters the name of the disease within, and to prohibit entrance to or exit from such house without written permission from the board of health. No person quarantined by a board of health on account of having a contagious disease, or for having

been exposed thereto, shall leave such quarantined house or place without the written permission of the board of health. Every physician attending a person affected with any of the aforementioned diseases shall use such precautionary measures to prevent the spread of the disease as may be required by the board of health. No persons shall remove, mar, deface, or destroy such quarantine card, which shall remain in place until after the patient has been removed from such house, or has recovered and is no longer capable of communicating the disease, and the said house and the contents thereof have been properly purified and disinfected under the direction of the board of health; and where other inmates of said house have been exposed to and are liable to become ill of any of said diseases for a period thereafter, counting from the completion of disinfection as follows, to wit: In diphtheria and membranous croup, 14 days; in smallpox, 17 days; in scarlet fever, 10 days; in cholera or yellow fever, 7 days; in typhus fever, 21 days.

In cases of measles, chicken-pox, and whooping cough, or either of them, the board of health may require the same report of cases, and may enforce the same quarantine and other preventive measures, as are provided for in this chapter in case of scarlet fever. The board of health may employ as many persons as it deems necessary to execute its orders and properly guard any house or place containing any person or persons affected with any of the diseases named herein, or who have been exposed thereto, and such persons shall be sworn in as quarantine guards, shall have police powers, and may use all necessary means to enforce the provisions of this chapter for the prevention of contagious or infectious diseases, or the orders of any local board of health made in pursuance thereof. Any person on whom a duty is imposed by the provisions of this section who fails, neglects, or refuses to perform the same as herein required, shall be guilty of a misdemeanor, and on conviction thereof shall be fined a sum not exceeding \$50, or be imprisoned in the county jail not exceeding 90 days, or shall suffer both fine and imprisonment.

SEC. 1102. *Disinfection of houses.*—When the health authorities of any county or municipality are of opinion that the cleansing and disinfection of any house or part thereof, and of any articles therein likely to retain infection, would tend to prevent or check infectious diseases, it shall be the duty of such authority to cleanse and disinfect such house, or part thereof, and articles, and the health authorities may recover the expenses incurred from the owner or occupant: *Provided*, That where the owner or occupant of any such house or part thereof is, from poverty or otherwise, unable, in the opinion of such health authority, effectually to carry out the requirements of this section, such authority may cleanse and disinfect such house or part thereof, and articles, and the municipality or county in which said house is situated shall defray the expenses thereof.

SEC. 1104. *Exclusion of exposed persons from schools.*—No person residing in or occupying any house in which there is a person suffering from smallpox, cholera, plague, typhus fever, diphtheria, membranous croup, chicken pox, measles, mumps, whooping cough, or scarlet fever, cerebrospinal meningitis, infantile paralysis, shall be permitted to attend any public, private, or parochial school or college, or Sunday school, or any other public gathering, until the quarantine provided for in such disease in section 1100 has been removed by the board of health. All school principals, Sunday school superintendents or other persons in charge of such schools, are hereby required to exclude any and all such persons until such time as they may present a written permit of the local board of health to attend or reenter such schools.

SEC. 1106. *Cremation and burial of bodies.*—The bodies of persons who have died of smallpox, cholera, plague, yellow fever, typhus fever, diphtheria, membranous croup, scarlet fever, cerebrospinal meningitis, infantile paralysis, or other dangerous contagious or infectious disease, shall be buried or cremated within 24 hours after death, unless written permission to the contrary be granted by the board of health; and no public or church funeral shall be held in connection with the burial of a per-

son who has died of any of the above-named diseases, and the body of any such person shall not be taken into any church, chapel, or other public place, and only the adult members of the family and such other persons as are actually necessary shall be present at the burial or cremation of the body.

State Board of Health—Powers and Duties of—Bacteriological Stations. (Chap. 140, Act Mar. 12, 1913.)

(Section 1081, of House Bill 171, Session Laws of 1909, was amended to read as follows:)

SEC. 1081. The board shall meet annually at Boise on the first Tuesday of October, and at such other times and places as they may deem expedient. A majority shall constitute a quorum for the transaction of business. They shall choose annually one of their members to be their president, and may adopt rules and by-laws, subject to the provisions of this chapter. They shall have authority to send their secretary or a committee of the board to any part of the State when deemed necessary to investigate the cause of any epidemic or any special or unusual disease or mortality.

The board shall have power to establish such bacteriological stations within the State as they may deem necessary; to equip the same with the necessary laboratory apparatus and supplies; and to appoint a director for each station so established, who shall be a practical bacteriologist and who shall receive such compensation for his work as the board may prescribe, not to exceed \$10 per day for each day actually and necessarily spent in bacteriological examination. Said compensation shall be paid on claims approved by the board out of any funds appropriated for the use of said board in the same manner that other claims against the State are paid: *Provided, also*, That when in the opinion of the State board of health the conducting of any test would be too expensive to be done free of charge the board would be allowed to charge a reasonable compensation for the same, such compensation to be determined by the board, and all such amounts collected shall be paid into the general fund of the State.

County Boards of Health—Organization, Powers, and Duties—Health Officers. (Chap. 140, Act Mar. 12, 1913.)

(Sections 1095, 1097A, 1097B, and 1098 of House bill 171, Session Laws of 1909, were amended to read as follows:)

SEC. 1095. *Local boards of health.*—The board of county commissioners must, biennially at their regular meeting in January, appoint a licensed physician residing in the county, who shall be known as the county physician. The board of county commissioners of each and every county in this State shall be constituted a county board of health for such county, and said county board of health's jurisdiction shall be coextensive with the boundaries of said county. The chairman of the board of county commissioners shall be president of the county board of health, and the county health officer shall be the clerk thereof. They shall, at their regular meeting in January, appoint a legally qualified physician county health officer, whose term of office shall be for two years from January, next following each general election, and shall fix his compensation. The county health officer shall be ex officio member of the county board of health and shall be the executive officer thereof, and may be or may not be county physician. The county board of health may appoint as many sanitary officers as they deem necessary and fix the compensation of all appointees, who shall serve during the pleasure of the board. Any vacancy in such board caused by death, resignation of county health officer, or by his refusal to act, must be filled by appointment by the commissioners. The county board of health shall be empowered to make its own local rules and regulations, which shall not be inconsistent with law nor with the rules and regulations of the State board of health, and must

make and establish for the county or any district or place therein such sanitary rules and regulations as they may deem necessary and proper to prevent the outbreak and spread of dangerous, contagious, and infectious disease, which rules or regulations shall take effect from and after their approval by the State board of health.

When any locality is in need of a health officer, the secretary of the county board of health may appoint a local physician to act as deputy health officer, and the expenses of such deputy health officer shall be paid in the same manner as all other county expenses. Cities and villages and other localities, in which there is need therefor, may organize a local board of health to be composed of at least one physician, who shall be the executive officer of such local board, and two other persons who may or may not be physicians. If, however, there is no physician residing in the city, village, or other locality, others may act. Such local boards of health shall act under the authority and direction of the county board of health for the county in which such city, village, or other locality may be situated, and shall report to said county board of health. All necessary expense incurred by the said county board of health in enforcing the provisions of this chapter must be paid for out of the general treasury from the current expense fund of the county, as other bills chargeable against said current expense fund are audited and paid.

Every health officer appointed under the provisions of this chapter shall be, whenever the same is practicable, a reputable physician licensed under the laws of the State of Idaho, and shall hold his office during the pleasure of the board and until his successor shall have been duly appointed and qualified; and in case of the occurrence of a vacancy in his office, the board of health shall immediately fill the same by a new appointment.

SEC. 1097 A. *Inspection of schools and public buildings.*—It shall be the duty of all county boards of health to provide for the examination by the secretary into the sanitary condition of all county buildings and jails, school buildings, and other public institutions in the county, at least once every year, before the 1st day of May, and as near said day as may be practicable, and such examining officer shall file a complete report, within 15 days after said 1st day of May, with the secretary of the State board of health.

SEC. 1097 B. *Quarantine counties.*—The board of health of any county may declare quarantine therein or in any particular district or place therein, against the introduction of dangerous, contagious, or infectious disease prevailing in any State, county, or place, or of any or all persons and things liable to spread such dangerous, contagious, and infectious disease. The said county board has authority and power to enforce such quarantine until the same is raised by themselves, and may confine such inflicted person or persons liable to spread such dangerous, contagious, or infectious disease to the house or premises in which he or she resides, or, if deemed advisable, to a place to be provided for them for that purpose. And when any contagious or infectious disease shall, in the opinion of the State board of health, become or threaten to become epidemic in any city, village, or county, and the local authorities shall neglect or refuse to enforce measures which, in the opinion of the State board of health, are efficient for its prevention, the State board of health, or its executive officer, on the order of the president of said board, may appoint a medical or sanitary officer, and such assistants as he may require, and authorize him to enforce such orders or regulations as said board or its executive officer may deem necessary, the expense thereof to be paid by that municipality or county in which such services are rendered out of its general fund. The term "dangerous, contagious, or infectious disease" shall be construed and understood to mean such disease or diseases as the State board of health shall designate as contagious or infectious and dangerous to the public health.

SEC. 1098. *Duties of health officers.*—It shall be the duty of every county health officer, immediately after his appointment, to transmit to the secretary of said board of health his full name and post-office address; he shall keep accurate record of

the proceedings of the local board of which he is the secretary, as well as his own official acts, and furnish a report thereof monthly to the secretary of the State board of health: *Provided, however,* That any epidemic shall be reported immediately, together with such other information in regard to the sanitary condition of his jurisdiction as he may deem interesting or valuable for publication in the annual report of the State board of health. He shall receive for his services as health officer such reasonable compensation as his board may allow to be paid out of the county treasury, this compensation to be fixed separately from that of the county physician; and for every failure or neglect of said health officer to perform any of the duties prescribed in this act, he shall be held guilty of a misdemeanor. Every municipal or local health officer shall make a similar report as required by the county health officer to the secretary of the county board of health. Any health officer who shall refuse or neglect to obey or enforce the rules or regulations or orders of the State board of health or who shall refuse or neglect to make prompt and accurate reports to the State board of health may be removed as health officer by the State board of health, and shall not again be reappointed except with the consent of the State board of health. Any member of a city or county board of health who shall violate or refuse or neglect to obey or enforce any of the rules, regulations, or orders of the State or county boards of health made for the prevention, suppression, or control of any dangerous, contagious, or infectious disease, or for the protection of the health of the people of this State, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$10 nor more than \$200, and shall be removed from office.

Water and Ice—Prevention of Pollution of. (Chap. 173, Act Mar. 13, 1913.)

SECTION 1. Ice offered or intended for public use or consumption shall be kept stored in clean places free from all filth, offal, refuse, and polluted waters and separate and removed from contact with animal or vegetable matter, and not in proximity to any cesspool, privy, vault, or sewer, nor in places where such ice may be subject to the contamination from, or the action of, acids, oils, noxious, offensive or injurious gases, smoke or vapors; and all ice kept or stored in violation of this section shall be deemed polluted ice and not fit for human consumption; and it shall be unlawful to sell, offer for sale, or store for sale such polluted ice.

SEC. 2. That any corporation or person owning or maintaining any plant or system for the supply to the inhabitants of this State, or any part thereof, of water for domestic purposes shall keep the same clean and free from all impurities, accumulation of sediment, offal, refuse, dead animals, and all other foreign substances which tend to injure the health of the consumers of such water. Any person or corporation failing or neglecting to comply with any of the provisions of this act shall be guilty of a misdemeanor.

Births and deaths—Registration of. (Chap. 39, Act Mar. 1, 1913.)

SECTION 1. That section 7 of chapter 191, Session Laws of Idaho, 1911, be amended to read as follows:

SEC. 7. That the certificate of death shall contain the following items:

1. Place of death, including State, county, township, city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

2. Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

3. Sex.

4. Color or race—as white, black (negro or negro descent), Indian, Chinese, Japanese, or other.

5. Conjugal condition—as single, married, widowed, or divorced.
6. Date of birth, including the year, month, and day.
7. Age, in years, months, and days.
8. Place of birth; State or foreign country.
9. Name of father.
10. Birthplace of father; State or foreign country.
11. Maiden name of mother.
12. Birth of mother; State or foreign country.
13. Occupation. The occupation to be reported of any person who has any remunerative employment, women as well as men.
14. Signature and address of informant.
15. Date of death, year, month, and day.
16. Statement of medical attendance on decedent, fact and time of death, time last seen alive.
17. Cause of death, including the primary and contributory causes or complications, if any, and duration of each.
18. Signature and address of physician or official making the medical certificate.
19. Length of residence at place of death and in State. Special information concerning deaths in hospitals and institutions, and of persons dying away from home, including the former or usual residence, and place where the disease was contracted.
20. Place of burial or removal.
21. Date of burial or removal.
22. Signature and address of undertaker.
23. Official signature of registrar, with the date when certificate was filed, and registered number.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such. The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in death, giving the primary cause, and also the contributory causes, if any, and the duration of each. Indefinite and unsatisfactory terms, indicating only symptoms of disease or conditions resulting from disease, will not be held sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the State registrar as indefinite and unsatisfactory, shall be returned to the physician for correction and definition. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and, if from violence, its nature shall be stated, and whether (probably) accidental, suicidal, or homicidal. And in case of deaths in hospitals, institutions, or away from home, the physician shall furnish the information required under this head (item 20), and shall state where, in his opinion, the disease was contracted.

SEC. 2. That section 20 of chapter 191, Session Laws of Idaho, 1911, be amended to read as follows:

SEC. 20. That each local registrar shall be entitled to be paid the sum of 25 cents for each birth and each death certificate properly and completely made out and registered with him, and correctly copied and promptly returned by him to the State registrar, as required by this act. And in case no births or deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, promptly made in accordance with this act: *Provided, however,* That compensation for such services may be fixed by the city council, or other gov-

erning body of such city, incorporated town, or registration district. All amounts payable to registrars, outside of cities or incorporated towns, under provisions of this section shall be paid by the treasurer of the county in which the registration districts are located, upon certification by the State registrar. And the State registrar shall annually certify to the treasurer of the several counties the number of births and deaths registered, with the names of the local registrars and the amounts due each at the rates fixed herein: *Provided, however,* That no warrant shall be issued to any local registrar where notice is previously given by the State registrar to the auditor, city clerk, or other proper officer of such registration district that the local registrar has failed to comply with the rules and regulations of the State board of health and bureau of vital statistics and the instructions of the State registrar.

INDIANA.

Contagious and Infectious Diseases, Reporting of Cases of—Births and Deaths, Registration of. (Chap. 239, Act Mar. 14, 1913.)

SECTION 1. *State board of health—Record of deaths, births, etc.*—That section 1 of the above-entitled act¹ be amended to read as follows:

“SECTION 1. That it shall be the duty of all physicians, midwives, and all other persons who are now permitted or entitled to treat diseases or deformity or practice obstetrics in the State to report upon blank forms supplied by the State board of health all deaths and births which may occur under their supervision, and also all cases of contagious and infectious diseases which may occur under their supervision and which are listed as reportable in the rules of the State board of health. The report of deaths and cases of infectious diseases shall be made immediately, and a certificate of death shall be filed and a burial or removal permit issued prior to any disposition of the body. Reports of deaths, births, and cases of such infectious and contagious diseases as are listed in the rules of the State board of health, which occur in cities and towns, shall be made to health officers of said cities and towns, and when they occur in the country outside of cities and towns they shall be reported to the county health commissioner or his deputies; but reports of deaths occurring outside of cities and towns may be made to the health officer located nearest to the place where the death occurs; and said health officer or commissioner, if the certificate of death be properly made out, shall issue a burial permit, which permit shall be valid in all parts of the State. Upon the reporting of any death occurring outside of cities and incorporated towns to the nearest health officer, other than the county health commissioner of the county wherein said death occurred, said certificate of death shall be sent immediately for record, by said health officer, to the county health commissioner of the county wherein said death occurred.

“When any death, birth, or case of listed infectious or contagious disease may occur with no physician or midwife in attendance, then said death, birth, or case of infectious or contagious disease shall be reported by the householder or other person having said death, birth, or case of infectious or contagious disease in charge to the health officer having jurisdiction, or his deputy; and the officer to whom the report is made shall make inquiry and inspection, and in the case of a death, if he finds no evidence of death by violence or criminal practice, he may fill out the certificate of death and grant a burial permit; but if evidence of death by violence or criminal practice is found, he shall refer the case to the coroner who shall make due investigation according to law. Any death coming under the supervision of any coroner shall be by him reported upon official death certificate blanks to the health officer having jurisdiction within three days after the inquest is held, and such death shall not be reported by any other person. Any death or birth occurring under the supervision of any superintendent or head of any institution shall be immediately reported by him upon official certificates to the proper health officer.

“Stillbirths or seventh months' gestation and over shall be reported as both births and deaths, and all reports of deaths, births, and contagious or infectious disease as herein commanded shall be made upon blanks furnished by the State board of health.

¹ An act to collect accurate records of deaths, births, contagious diseases, and marriages; prescribing the duties of the State board of health and of all health officers in relation thereto; providing penalties for the violation of the provisions of this act; and repealing all acts in conflict, approved Mar. 9, 1907.

It shall be the duty of the clerk of the circuit court of each county to report to the county health commissioner on or before the 4th day of each month the number of marriages or the preceding month, with such facts relating thereto as may be provided for on blanks furnished to such clerk from the State board of health. All persons authorized to perform marriages shall report all marriages performed by them within three days after their occurrence to the clerk of the circuit court of the county wherein the marriage license was issued, and anyone failing to so report shall be fined \$5 for each offense. All records of deaths, births, and cases of contagious and infectious diseases shall be kept by health officers in record books, the forms of which shall be supplied by the State board of health. Any physician or midwife refusing or neglecting to make death, birth, and infectious or contagious disease reports as herein provided, or who shall knowingly make a false report thereof, shall, upon conviction, be fined for the first offense in any sum not less than \$10 or more than \$50, and any physician or midwife who is convicted the second time for the violation of any of the above provisions shall be fined not less than \$50 or more than \$100, and any physician or midwife who is convicted the third time for the violation of any of the above provisions shall be fined \$100.

"Householders and others made responsible in this act and failing to report as herein provided, or who shall furnish false information for the purpose of an incorrect certificate or report, shall, upon conviction, be fined not less than \$10 or more than \$50 for each offense. It shall be unlawful for any undertaker, sexton, or other person to bury, cremate, or otherwise dispose of any human body until he has received a permit to do so from a health officer; and no such permit shall be issued by any health officer or deputy until there has been delivered to him a certificate of death written in unfading ink or indelible pencil, and completely and accurately filled out by the proper person. In the event of a burial or other disposal of a dead human body without a permit as herein provided the offending person, upon conviction, shall be fined not less than \$5 or more than \$100, and if the remains are buried the coroner of the county in which the illegal burial or other disposal occurs shall disinter or otherwise secure the remains, hold an inquest, and within three days thereafter make a return of his findings upon official blanks to the officer having jurisdiction. The cost of said inquest shall be borne by the county, but the same may be recovered in the courts of the county from the person or persons who are responsible for such illegal burial or other disposal of said human body."

SEC. 2. *Vital statistics—Tabulation and use.*—That section 2 of the above-entitled act be amended to read as follows:

"SEC. 2. It shall be the duty of the State board of health to collect and tabulate the vital statistics, to study them and endeavor to make intelligent and profitable use of the same for sanitary purposes and the benefit of the people. They shall have supervision of the system of registration of deaths, births, and infectious and contagious diseases, and they shall make up from time to time such blank forms as they may deem necessary for collection, registration, and report of vital and sanitary statistics throughout the State. They shall, upon request, furnish any applicant a certified copy of the record of any birth or death registered under the provisions of this act, and such copy of the record of a birth or death, when properly certified by the secretary of said board to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. They shall have the power to pass rules governing the duties of all health boards and health officers, governing the hygienic disposal, transportation, and disinterment of the dead and for the enforcement of this act, and any violation of said rules shall be punished by a fine of not less than \$5 nor more than \$50 for each offense. The State board of health shall make an annual report of all vital statistics for each calendar year to the governor, the same to be published with their report of transactions and expenditures for the fiscal year by the commissioners of the public printing and stationery."

SEC. 3. *Inmates of public institutions—Record kept.*—That section 3 of the above-entitled act be amended to read as follows:

"SEC. 3. It shall be the duty of the superintendent or of any person or persons having charge of hospitals, poor asylums, lying-in or other institutions, public or private, to which persons resort for treatment of disease, confinement, or are committed by due process of law, to make and keep on file a record of all personal and statistical particulars relative to the inmates of such institutions, as may be required by the State board of health, and any such superintendent, person, or persons failing to make or keep such record shall be liable to punishment by a fine of not less than \$5 nor more than \$50 for each offense."

SEC. 4. *Repeal.*—All laws or parts of laws coming in conflict with this act are hereby repealed, except that this act shall not be construed to repeal, affect, or modify any of the provisions of an act entitled "An act to prevent infant blindness caused by the preventable disease known as ophthalmia neonatorum," approved March 4, 1911.

Morbidity Reports—Quarantine. (Reg. Bd. of H., Dec. 17, 1913.)

Rule 10 of the rules of the Indiana State Board of Health duly passed as appear in the minutes of the board shall be amended to read as follows, to wit:

"RULE 10. *Infectious diseases.*—The infectious and contagious diseases which shall be immediately reported to the health officer having jurisdiction and which shall be quarantined are hereby declared to be: Yellow fever, smallpox, cholera, diphtheria, membranous croup, scarlet fever, measles, epidemic poliomyelitis, cerebrospinal fever, typhus fever, bubonic plague, leprosy, pulmonary consumption, typhoid fever, chicken-pox, whooping cough, trachoma, syphilis, and gonorrhea: *Provided*, Pulmonary consumption, typhoid fever, syphilis, and gonorrhea shall not be quarantined, as they are to be reported for record and statistical purposes only, and chicken-pox, whooping cough, measles, and trachoma shall be carded to warn the public, absolute quarantine not being required: *And provided further*, When a case of trachoma is under approved treatment, as it would not then be transferable, said case shall not then be carded, and shall not be excluded from school."

Tuberculosis—County Hospitals, Establishment and Maintenance of. (Chap. 176, Act Mar. 10, 1913.)

SECTION 1. *Hospitals—County maintenance—Tuberculosis.*—That the board of county commissioners of any county, shall have power to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis; when the board of county commissioners of any county shall have voted to establish such hospital, it shall have the following power: To purchase or lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings in the manner prescribed by law. To erect all necessary buildings, make all necessary improvements and repairs and alter any existing buildings for the use of said hospital: *Provided*, That the plans for such erection, alteration, or repair shall first be approved by the State board of health. To cause, with the approval of the county council, to be assessed, levied and collected such sums of money as it shall deem necessary for suitable lands, buildings, and improvements for said hospital and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor, on the credit of the county and issue county obligations therefor, in such manner as it may do for other county purposes. To appoint a board of managers for said hospital as hereinafter provided. To accept and hold in trust for the county any grant or devise of land or any gift or bequest of money or other personal property or any donation to be applied, principal or income, or both, for the benefit of said hospital and apply the same in accordance with the terms of the gift.

SEC. 2. *Board of managers.*—When the board of county commissioners shall have determined to establish a hospital for the care and treatment of persons suffering from tuberculosis, and shall have acquired a site therefor, and shall have awarded contracts for the necessary buildings and improvements thereon, it shall appoint four citizens of the county, of whom at least two shall be practicing physicians, who shall constitute a board of managers of said hospital. The term of office of each member of said board shall be 4 years, and the term of one of such managers shall expire annually; the first appointment shall be made for the respective terms of 4, 3, 2, and 1 year. Appointments of successors shall be for the full term of 4 years, except that appointment of persons to fill vacancies occurring by death, resignation, or other cause shall be made for the unexpired term. Failure of any manager to attend three consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action by the board of managers. The managers shall receive no compensation for their services, but shall be allowed their actual and necessary traveling and other expenses, to be audited and paid in the same manner as the other expenses at the hospital by the board of county commissioners. Any manager may at any time be removed from office by the board of county commissioners of the county for cause, after an opportunity to be heard.

SEC. 3. *Duties of board.*—The board of managers shall elect from its members a president and one or more vice presidents. It shall appoint a superintendent of the hospital, who shall be also the treasurer and secretary of the board and shall hold office at the pleasure of said board.

1. Said superintendent shall not be a member of the board of managers, and shall be a graduate of an incorporated medical college, with an experience of at least 3 years in the actual practice of his profession.

2. Shall fix the salaries of the superintendent and all other officers and employees within the limits of the appropriations made therefor by the board of county commissioners, and such salaries shall be compensation in full for all services rendered. The board of managers shall determine the amount of time required to be spent at the hospital by said superintendent in the discharge of his duties.

3. Shall have the general superintendence, management, and control of the said hospital, of the grounds, buildings, officers and employees thereof; of the inmates therein, and of all matters relating to the government, discipline, contracts, and fiscal concerns thereof; and make such rules and regulations as may seem to them necessary for carrying out the purpose of such hospital.

4. Shall maintain an effective inspection of said hospital and keep itself informed of the affairs and management thereof; shall meet at the hospital at least once in every month, and at such other times as may be prescribed in the by-laws; and shall hold its annual meeting at least three weeks prior to the meeting of the board of county commissioners, at which appropriations for the ensuing year are to be considered.

5. Shall keep in a book provided for that purpose a proper record of its proceedings, which shall be open at all times to the inspection of its members, to the members of the board of county commissioners of the county, and to duly authorized representatives of the State board of charities.

6. Shall certify all bills and accounts, including salaries and wages, and transmit them to the board of county commissioners of the county, who shall provide for their payment in the same manner as other charges against the county are paid.

7. Shall make to the board of county commissioners of the county annually and such time as said commissioners shall direct a detailed report of the operations of the hospital during the year, the number of patients received, the methods and results of their treatment, together with suitable recommendations and such other matters as may be required of them, and full and detailed estimates of the appropriations required during the ensuing year for all purposes, including maintenance, direction

of buildings, repairs, renewals, extensions, improvements, betterments, or other necessary purposes.

SEC. 4. Duties of superintendent.—The superintendent shall be the chief executive officer of the hospital and subject to the by-laws, rules, and regulations thereof and to the powers of the board of managers.

1. Said superintendent shall equip the hospital with all necessary furniture, appliances, fixtures, and other needed facilities for the care and treatment of patients and for the use of officers and employees thereof, and shall in counties where there is no purchasing agent purchase all necessary supplies.

2. He shall have general supervision and control of the records, accounts, and buildings of the hospital and all internal affairs and maintain discipline therein, and enforce compliance with and obedience to all rules, by-laws, and regulations adopted by the board of managers for the government, discipline, and management of said hospital and the employees and inmates thereof. He shall make such further rules, regulations, and orders as he may deem necessary not inconsistent with law or with the rules, regulations, and directions of the board of managers.

3. He shall appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital and prescribe their duties, and for cause stated in writing, after an opportunity to be heard, discharge any such officer or employee at his discretion.

4. He shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day, in books and on records provided for that purpose, and see that such accounts and records are correctly made up for the annual report to the board of county commissioners, and present the same to the board of county commissioners, and present the same to the board of managers, who shall incorporate them in their report to the said board of county commissioners.

5. He shall receive into the hospital, under the general direction of the board of managers, in the order of application, any person found to be suffering from tuberculosis in any form who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application for admission to said hospital; and shall receive persons from other counties as hereinafter provided. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation, and place of last employment.

6. He shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital and provide for the treatment of each such patient according to his need; and shall cause a record to be kept of the condition each patient when admitted, and from time to time thereafter.

7. He shall discharge from said hospital any patient who shall willfully or habitually violate the rules thereof; or who is found not to have tuberculosis or who is found to have recovered therefrom or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of managers.

8. He shall collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at the monthly meetings of the board of managers, and transmit the same to the treasurer of the county within 10 days after such meeting.

9. He shall before entering upon the discharge of his duties give a bond in such sum as the board of managers may determine, to secure the faithful performance of such duties.

SEC. 5. Applications for admission.—Any resident of the county in which the hospital is situated, desiring treatment in such hospital, may apply in person to the superintendent or to any reputable physician for examination, and such physician, if he find that said person is suffering from tuberculosis in any form, may apply

to the superintendent of the hospital for his admission. Blank forms for such application shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county, upon request. So far as practicable application for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon the receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in said hospital, shall notify the person named in such application to appear in person at the hospital. If, upon personal examination of such patient or of any applying in person for admission the superintendent is satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient.

All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every application shall be filed and recorded in a book kept for that purpose in the order of their receipt. When said hospital is completed and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis. No discrimination shall be made in the accommodation, care, or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof any fee, payment, or gratuity whatsoever for his services.

SEC. 6. *Payment for treatment.*—Whenever a patient has been admitted to said hospital from the county in which the hospital is situated, the superintendent shall cause such inquiry to be made as he may deem necessary as to his circumstances and of the relatives of such patient legally liable for his support. If he finds that such patient or said relatives are able to pay for his care and treatment in whole or in part, an order shall be made directing such patient or said relatives to pay to the treasurer of such hospital for the support of such patient a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The superintendent shall have the same power and authority to collect such sum from the estate of the patient, or his relatives legally liable for his support, as is possessed by an overseer of the poor in like circumstances. If the superintendent finds that such patient or said relatives are not able to pay, either in whole or in part, for his care and treatment in such hospital, the same shall become a charge upon the county.

SEC. 7. *Nonresident patients.*—In any county not having a county hospital for the care and treatment of persons suffering from tuberculosis a township trustee of any township of the county, upon the receipt of the application and certificate hereinafter provided for, may apply to the superintendent of such hospital established by any other county, for the admission of such patient. Any person residing in a county in which there is no such hospital, who desires to receive treatment in such a hospital, may apply therefor in writing to the township trustee of the township in which he resides, on a blank to be provided by said superintendent for the purpose, submitting with such application a written certificate signed by a reputable physician on a blank to be provided by the township trustee for such purpose, stating that such physician has, within 10 days, 10 next preceding, examined such person, and that in his judgment such person is suffering from tuberculosis. The township trustee, on receipt of such application and certificate, shall forward the same to the superintendent of any hospital for the care and treatment of tuberculosis. If such patient be accepted by such hospital, the township trustee shall provide for

his transportation thereto and for his maintenance therein at a rate to be fixed as hereinafter provided.

Sec. 8. *When admitted—Compensation.*—Whenever the superintendent of such a county hospital shall receive from a township trustee of any township of any other county an application for the admission of a patient, if it appears from such application that the person therein referred to is suffering from tuberculosis, the superintendent shall notify said person to appear in person at the hospital, provided there be a vacancy in such hospital and there be no pending application from a patient residing in the county in which the hospital is located. If, upon personal examination of the patient, the superintendent is satisfied that such patient is suffering from tuberculosis, he shall admit him to the hospital. Every patient so admitted shall be a charge against the township sending such patient at a rate to be fixed by the board of managers, which shall not exceed the per capita cost of maintenance therein, including a reasonable allowance for interest on the costs of the hospital; and the bill therefor shall, when verified, be audited and paid by the township trustee of the township. The said township trustee shall cause an investigation to be made into the circumstances of such patient and of his relatives legally liable for his support and shall have the same authority as an overseer of the poor in like circumstances to collect therefrom, in whole or in part, according to their financial ability, the cost of the maintenance of such person in said hospital.

Sec. 9. *Inspection by board.*—The resident officer of the hospital shall admit the managers into every part of the hospital and the premises and give them access on demand to all books, papers, accounts, and records pertaining to the hospital, and shall furnish copies, abstracts, and reports whenever required by them. All hospitals established or maintained under the provisions of sections 1 to 10, inclusive, of this chapter shall be subject to inspection by any duly authorized representative of the State board of charities, aid associations, or of the board of county commissioners of the county; and the resident officers shall admit such representatives into every part of the hospital and its buildings, and give them access on demand to all records, reports, books, papers, and accounts pertaining to the hospital.

Sec. 10. *County commissioners—Members of board.*—Wherever a hospital for the care and treatment of persons suffering from tuberculosis exists in connection with, or on the grounds of a county almshouse, the board of county commissioners may, after sections 1 to 10 of this act take effect, as a part of their duties perform all the duties of the board of trustees as herein provided or may appoint a board of managers for such hospital, and such hospital and board of managers shall thereafter be subject to all the provisions of this act, in like manner as if it had been originally established hereunder. Any hospital which may hereafter be established by any board of county commissioners shall in like manner be subject to all the provisions of said sections.

Sec. 11. *Joint hospital—Two or more counties.*—Two or more counties may join together in the establishment and maintenance of a tuberculosis hospital subject to the provisions of this act. The county commissioners of counties proposing to cooperate may enter into an agreement to establish such hospital and in such event the cost of establishing such hospital shall be apportioned among the counties cooperating according to the ratio of taxable property in such counties. The cost of maintenance shall be borne by the counties cooperating, according to the ratio of taxable property in such counties. The county commissioners of the counties cooperating shall constitute a board for the control of the tuberculosis hospital subject to the provisions of this act: *Provided*, That if application shall be made, the admission of patients as to number from the counties building such hospital shall be based upon the population of such respective counties, but if at any time there should not be applications for admission as any county is entitled to, then admission shall be made in the order in which the applications are received.

Rats, Extermination of—Teaching Hygiene in Schools. (Chap. 220, Act Mar. 14, 1913.)

SECTION 1. *Rats—Extermination—Teaching hygiene in schools.*—That it shall be unlawful for any person, firm, copartnership, company, or corporation owning, leasing, occupying, possessing, or having charge of any land, place, building, structure, stacks, or quantities of wood, hay, corn, wheat, or other grains or materials, or any vessel or water craft, to permit the same to become rat infested, and it shall be the duty of any such person, firm, copartnership, company, or corporation, upon any knowledge or notice, to at once proceed and to continue in good faith to endeavor to exterminate and destroy such rats by poisoning, trapping, and other appropriate means such as may be suggested by the State board of health or the local health officers. And it shall be the duty of the trustees of the several townships and the boards of school trustees of the several cities and towns in the State, to make provisions in the public schools under their jurisdiction for the illustrative teaching of the anatomy, physiology, and hygiene of the human system; the effects of alcohol and nicotine; the cause and course of consumption; the dissemination of diseases by rats, flies, and mosquitoes and the effects thereof, and the prevention of diseases by the proper selection and consumption of food.

SEC. 2. *State board of health—Inspectors—Duties.*—The State board of health and inspectors appointed by such board and local health officers and inspectors appointed for the purpose, as hereinafter provided, shall have authority and shall be permitted to enter into and upon all lands, places, buildings, structures, vessel, or water craft for the purpose of ascertaining whether the same are infested with rats and whether the requirements of this act as to extermination and destruction thereof are being complied with: *Provided*, That no building occupied as a dwelling, hotel, or rooming house shall be entered for such purpose except between the hours of 9 o'clock in the forenoon and 5 o'clock in the afternoon of any day.

SEC. 3. *Appropriation—County commissioners.*—The board of county commissioners, with the consent of the county council of each county, and the town board of any town or the common council of any city, whenever it may by resolution determine that it is necessary for the preservation of the public health or to prevent the spread of contagious or infectious disease, communicable to mankind, or when such board shall so determine that it is necessary to prevent great damage to crops, grain, food, or other property, may appropriate moneys for the purchase of, and may purchase, poison, traps, and other materials for the purpose of eliminating and destroying rats in such county, town, or city, and may employ and pay inspectors, who shall have authority to and shall prosecute such work of extermination and destruction under the direction of such board or the local health officer, or board of health, on both private and public property in such county, town, or city, and such inspectors shall have authority, when necessary, to carry out the provisions of this act, to dig into the ground, to remove parts of floors, walls, or other parts of buildings or structures, or to remove, from one place to another on the premises, any other property when reasonably necessary to do so: *Provided*, That such inspector or inspectors, after taking the necessary steps for the discovery and destruction of rats on any premises, shall restore the said premises, as far as may be reasonably practicable, to the condition in which the same were found.

SEC. 4. *Expense of extermination—Lien.*—Whenever any person, firm, copartnership, company, or corporation owning, leasing, occupying, possessing, or having charge of any land, place, building, structure, stacks, or quantities of wood, hay, corn, wheat, or other grains or materials, or any vessel or water craft, which is infested with rats, shall fail, neglect, or refuse to proceed and continue to endeavor to exterminate and destroy such rats as herein required, it shall be the duty of the State board of health, or its inspectors, and the local health officer, or the local board of

health or its inspectors, at once to cause such nuisance to be abated by exterminating and destroying such rats. The expense thereof shall be a charge against the county, town, or city which has by its board or council ordered such destruction or extermination of rats, and such board or council shall allow and pay the same. When such destruction of rats is ordered by the town board or city council, the clerk of such town or city shall at once file with the county auditor a certified statement of the expense of such extermination, and in any such case the county auditor shall charge the amount so expended for destroying rats as aforesaid against the property on which said nuisance shall have been abated, and the same shall be collected as other taxes are now collected, and when so collected shall be paid to said county, town, or city to reimburse it for the amount so paid out for the destruction of rats as aforesaid.

SEC. 5. "*Rat day*"—*Proclamation*.—The governor may annually, in the spring, designate by official proclamation a day to be designated as "*rat day*" to be observed throughout the State as a day for exterminating and destroying rats about the homes and premises and public buildings and all other places, thus preventing the dissemination of disease and the destruction of property.

SEC. 6. *Rights of officers*.—Any health officer or any inspector appointed under the provisions of this act shall have the right, without a warrant, to enter upon or into any land, place, building, structure, or premises suspected of being rat infested for the discovery or destruction of rats, and any person, or number of persons who shall obstruct him in the performance of his duties shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than \$2 nor more than \$10.

SEC. 7. *Penalty*.—Any person, firm, copartnership, company, corporation, or school official violating any of the provisions contained in section 1 of this act shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than \$10 nor more than \$100.

Boards of Health—Powers and Duties of, in Cities of the First Class. (Chap. 341, Act Mar. 15, 1913.)

SECTION 1. *Cities—First class—Board of health—Powers*.—That the board of health in cities of the first class shall have the following powers in addition to those conferred by an act entitled "*An act concerning municipal corporations*," and all acts amendatory of and supplemental thereto, to wit:

To acquire, lay out, and improve land for public hospitals, dispensaries, and such other purposes as may be necessary for the administration of the duties or works of the department; and to govern, manage, maintain, regulate, and direct the use of the same; and to make rules and regulations for their proper management and government.

To appoint a secretary, who shall be the city sanitarian and administrative officer of said board, and who shall be under the control of said board; a secretary pro tempore, to act in the absence of the secretary; superintendents of the city hospital and city dispensary; commissioner of recreation; and such clerks, inspectors, bacteriologists, chemists, attorneys, quarantine guards, and all employees as the board may deem expedient, and to prescribe and define their respective duties and authorities and to fix and regulate the compensation to be paid to the several persons employed by it.

To lease any buildings or grounds belonging to said city and under control of said board when the same are not required for public use; to sell such buildings, improvement, or materials belonging to said city and under the control of said board which, in the judgment of said board, may not be required for the purposes of said board or for public use; and the proceeds thereof shall be deposited with the city treasurer to the credit of the department of public health and charities and devoted to the purposes of the department: *Provided*, No lands or buildings under the control of such board shall be leased for any purpose other than the promotion of the use to which

such lands or buildings are devoted: *And provided*, That no buildings shall be erected on any land under the control of such board except such as are necessary for the proper enjoyment of such lands by the public according to the purpose for which such lands are held in the custody of such board, and all buildings erected thereon shall be under the control and supervision and management of such board; and said board shall permit the erection of no building or structure within any land under its control except such as shall become the property of such city by gift or otherwise.

To accept on behalf of said city such gifts or bequests as it may deem desirable, and all moneys received by said board by bequest or otherwise shall immediately be deposited with the city treasurer to the credit of the department of public health and charities and devoted to the purposes of the department.

Such board shall have the control and regulation to protect the public health of such city, of all rivers, streams, and waterways within the city and 4 miles beyond the limits thereof.

Sec. 2. Levy.—A tax of 10 cents on each \$100 of taxable property in such city as the same appears on the tax duplicate, which shall be in addition to other taxes of the city, shall be levied annually by the common council for the purpose of the board of health; and the city treasurer shall collect the same as other city taxes are collected, and shall, between the 1st and 5th days of each month, notify the board of health commissioners of the amount of such taxes collected for board of health purposes during the preceding month; and upon the date of notification above referred to the city treasurer shall credit the board of health fund with such amounts of taxes for board of health purposes as may have been collected at that time. The said board shall have full, complete, and exclusive authority to expend for and on behalf of such city all sums of money thus realized, and also that may be realized by such board of health commissioners from the fees derived from the city hospital patients of such city, from the sale of bonds of the city for board of health purposes, and from any other source. All gifts, donations, or payments whatsoever, which are given or paid to such city for board of health purposes, shall belong to the general board of health fund to be used by the said board of health in the same manner as hereinbefore stated: *Provided*, That warrants for such expenditures shall be drawn by the comptroller of such city for expenditures upon a voucher of such board, signed by the president or vice president and secretary. The said board shall have no power to contract debts beyond the amount of its annual income and the amount available from the sale of the bonds, or other sources.

All money remaining in the treasury to the credit of the board of health at the end of the calendar year shall remain to the credit of the general health fund to be used by the said board of health commissioners for board of health purposes.

Sec. 3. Election of officers—Salaries.—The said board of public health and charities shall choose, annually, at its second regular meeting in July, one of its members president; another of its members vice president, who shall perform the duties of the president during the absence or disability of the president. Such commissioners shall each receive a salary of \$100 per year except the president who shall receive a salary of \$500 per year. On or before the 1st day of February of each year such board shall make a report to the mayor of its proceedings with a full statement of its receipts and disbursements for the preceding calendar year. Money received by the board shall forthwith be paid into the city treasurer and credited to the department of public health and charities. A majority of the board shall constitute a quorum, and no action of the board shall be binding unless authorized by a majority of the members at a regular or duly called special meeting thereof. In case of a tie vote the city sanitarian shall cast the deciding vote, but nothing in this act shall be construed as making the city sanitarian a member of said board. Said board shall fix a time for holding regular meetings. Special meetings of the said board may be called at any time by the president or by any two members upon written request to the secretary. Whenever

in the opinion of the president, or of any two of its members, a special meeting is necessary or advisable, he, or they, shall cause the secretary to notify the members by mailing written notice of such meeting, at least a day before such meeting. All meetings shall be open to the public.

SEC. 4. *Repeal*.—All laws and parts of laws in conflict herewith be and the same are hereby repealed, but this repeal shall not affect pending litigation.

Milk, Cream, and Ice Cream—Cleaning of Receptacles for. (Chap. 69, Act Mar. 4, 1913.)

SECTION 1. *Milk and cream cans—Cleansing*.—That whenever any can or receptacle is used for transporting or conveying milk, cream, or ice cream to market for the purpose of selling or furnishing the same for consumption as human food, which can or receptacle, when emptied, is returned or intended to be returned to the person so selling, furnishing, or shipping such substance to be again thus used, or which may be again used as a receptacle for milk, cream, or ice cream, or which is liable to continued use in so transporting, conveying, selling, or shipping such substances as aforesaid, the consumer, dealer, or consignee using, selling, or receiving the milk, cream, or ice cream from such can or receptacle shall immediately and before so returning such can or receptacle thoroughly remove all particles of such substance therefrom, by washing and rinsing with water until all milk, cream, or ice cream shall have been thoroughly removed. When any such milk, cream, or ice cream is sold within any city of this State or shipped into any such city, the fact of such shipment or sale shall be prima facie evidence that the same was so shipped or sold for consumption as human food. When any such can or receptacle is returned or delivered or shipped to any person or creamery so selling such substance within or shipping the same into any such city, it is deemed that such can or receptacle is liable to such continued use in so selling or shipping such substance therein for consumption as human food within the meaning and purposes of this section.

No person shall place or suffer to be placed in any such can or receptacle any sweepings, refuse, dirt, litter, garbage, filth, or any other animal or vegetable substance liable to decay and tending to produce or promote an unsanitary condition, nor shall any such consignee or other person, through himself, his agent, or employee, allow such can or receptacle to remain uncleansed or bring or deliver to any person or railroad or other conveyance any such can or receptacle for the purpose of such return, or any milk, cream, or ice-cream can or receptacle for the purpose of delivery or shipment to any person or creamery engaged in so selling or shipping such substances for consumption as human food, which can or receptacle contains such particles of milk, cream, or ice cream, or such other substance as is herein prohibited from being placed therein. Whenever any such can or receptacle is used, returned, delivered, or shipped in violation of this section, every such use, return, delivery, or shipment of each such can or receptacle shall be deemed a separate violation thereof.

SEC. 2. *Penalty*.—Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than \$10 nor more than \$50.

Water Supplies—Purification of. (Chap. 35, Act Feb. 24, 1913.)

SECTION 1. *Water supply—Filtered*.—That whenever the board of health of any city or town, the county health officer, or citizens equal to 5 per cent of the electors of any city or town in this State shall file with the State board of health a complaint in writing, setting forth that the public water supply coming from any stream or body of water is not filtered and is not of the purity required by any law or ordinance in force at the time of the passage of this act, or that it is believed that the public water supply of such city or town is impure and dangerous to health, it shall be the duty

of the State board of health forthwith to inquire into, and investigate the charges made in such complaint, and if the State board of health upon such investigation shall find and determine that such public water supply is impure and dangerous to health or that it is not filtered or is not sufficiently purified because of improper construction of works or inefficient management or operation thereof, or of inadequacy of the size of any works designed to purify such public water supply, or is not of the purity required by the laws of the State or ordinances of the city or town in force at the time of the passage of this act, said State board of health shall notify the municipality, corporation, or other person operating such water supply of the board's findings, and give an opportunity to the offender to be heard. After such hearing, if the State board of health shall determine that improvements or changes are necessary in the works or plant of the offender to render the public water supply pure and healthful, it shall notify such municipality, corporation, or other person operating said water supply or works to make such changes as the State board of health may recommend with respect to the works or to the source of the water supply as will render the water pure and healthful to the satisfaction of the State board of health, which changes shall be made within a reasonable time to be fixed by the State board of health.

SEC. 2. Board of health—Duties.—It shall be the duty of the State board of health to keep a complete record, in a proper record book of the board, of all of the proceedings of said board had in pursuance of any provision of this act and of all evidence taken by the board in such proceeding.

SEC. 3. Penalty.—If any municipality, or officer thereof, upon whom the duty to act is cast, or any other corporation or officer thereof, on whom the duty to act is cast, or any person, shall fail or refuse, for a period of 10 days after the expiration of the time fixed by the State board of health for compliance with its order, or in case of appeal or appeals for a period of 10 days after final judgment affirming the board's order, shall have been entered to obey the same or in good faith to begin to make the changes and improvements in the works as ordered by the State board of health, such municipality, corporation, officer, or person so failing or refusing shall become liable for and forfeit to the State of Indiana the sum of \$500, to be recovered by the State in a civil action brought in said circuit or superior court by the State of Indiana on the relation of its attorney general, and such penalty, when collected, shall be paid into the State treasury for the use of the State, and each day's delay shall constitute a separate offense.

School Buildings—Construction and Maintenance of. (Chap. 206, Act Mar. 14, 1913.)

SECTION 1. Schools—Sanitary buildings.—That section 1 of the above-entitled act¹ be amended to read as follows:

"SECTION 1. That after the going into effect of this act all schoolhouses which shall be constructed or remodeled shall be constructed in accordance and conform to the following sanitary principles, to wit:

"(a) *Sites.*—All sites shall be dry, and such drainage as may be necessary to secure and maintain dry grounds and dry buildings shall be selected and supplied. Said site and said buildings shall not be nearer than 500 feet to steam railroads, livery stables, horse, mule, or cattle barn used for breeding purposes, or any noise-making industry or any unhealthful conditions. And when such school building or school site is so located and established no livery stable, horse, mule, or cattle barn used for breeding purposes, or any noise-making industry or any unhealthful conditions shall thereafter be constructed, erected, or maintained within 500 feet of any school build-

¹ An act to protect the health and lives of school children and increase their efficiency by providing healthful schoolhouses and requiring the teaching of hygiene, approved Mar. 1, 1911.

ing, school site, or school grounds. Good dry walks shall lead from the street or road to every schoolhouse and to all outhouses and suitable playgrounds shall be provided.

"(b) *Buildings*.—School buildings, if of brick, shall have a stone foundation; or the foundation may be of brick or concrete, provided a layer of slate, stone, or other impervious material be interposed above the ground line; or the foundation may be of vitrified brick and the layer of impervious material will not be required. Every two-story schoolhouse shall have a dry, well-lighted basement under the entire building, said basement to have cement or concrete floor, and ceiling to be not less than 10 feet above the floor level. The ground floor of all schoolhouses shall be raised at least 3 feet above the ground level and have, when possible, dry, well-lighted basement under the entire building and shall have solid foundation of brick, tile, stone, or concrete, and the area between the ground and the floor shall be thoroughly ventilated. Each pupil shall be provided with not less than 225 cubic feet of space, and the interior walls and the ceiling shall be either painted or tinted some neutral color, as gray, slate, buff, or green.

"(c) *Lighting and seating*.—All schoolrooms where pupils are seated for study shall be lighted from one side only, and the glass area shall be not less than one-sixth of the floor area, and the windows shall extend from not less than 4 feet from the floor to at least 1 foot from the ceiling, all windows to be provided with roller or adjustable shades of neutral color, as blue, gray, slate, buff, or green. Desks and desk seats shall preferably be adjustable, and at least 20 per cent of all desks and desk seats in each room shall be adjustable and shall be so placed that the light shall fall over the left shoulders of the pupils. For left-handed pupils desks and seats may be placed so as to permit the light to fall over the right shoulder.

"(d) *Blackboards and cloakrooms*.—Blackboards shall be preferably of slate, but of whatever material, the color shall be a dead black. Cloakrooms, well lighted, warmed, and ventilated, or sanitary lockers, shall be provided for each study schoolroom.

"(e) *Water supply and drinking arrangements*.—All schoolhouses shall be supplied with pure drinking water, and the water supply shall be from driven wells or other sources approved by the health authorities. Only smooth, stout glass or enameled metal drinking cups shall be used; water buckets and tin drinking cups shall be unlawful and are forbidden; and whenever it is practicable, flowing sanitary drinking fountains which do not require drinking cups shall be provided. All schoolhouse wells and pumps shall be supplied with troughs or drains to take away waste water, and under no conditions shall pools or sodden places or small or large mudholes be allowed to exist near a well. When water is not supplied at pumps or from water faucets or sanitary drinking fountains then covered tanks or coolers supplied with spring or self-closing faucets shall be provided.

"(f) *Heating and ventilation*.—All schoolhouses hereafter constructed or remodeled shall be supplied with heating and ventilating systems. Fresh air shall be taken from outside the building and properly diffused without drafts through each schoolroom during school session. Each schoolroom shall be supplied with foul-air flues of ample size to withdraw the foul air therefrom at a minimum rate of 1,800 cubic feet per hour for each 225 cubic feet of said schoolroom space, regardless of outside atmospheric conditions; and heaters of all kinds shall be capable of maintaining a temperature of 70° F. in all schoolrooms, halls, office rooms, laboratories, and manual-training rooms, in all kinds of weather, and maintaining in each schoolroom a relative humidity of not less than 40 per cent: *Provided*: That when artificial ventilation, by use of fan or blower, is adopted, the provision as to entrance of fresh air shall be from outside of the building.

"It is hereby made lawful for any township trustee, board of school trustees, and boards of school commissioners to establish and maintain open-air schools, and when such open-air schools are established the provisions of this act governing heating and ventilation shall not apply to such open-air schoolrooms.

"(g) *Water-closets and outhouses.*—Water-closets, or dry closets when provided, shall be efficient and sanitary in every particular and furnished with stalls for each hopper or place; and when said water or dry closets are not provided, then sanitary outhouses, well separated for the sexes, shall be provided. Good dry walks shall lead to all outhouses and screens or shields be built in front of them. Outhouses for males shall have urinals arranged with stalls and with conduits of galvanized iron, vitrified drain pipe, or other impervious material, draining into a sewer vault or other suitable place approved by the health authorities. Any agent, person, firm, or corporation selling, trading, or giving to any township trustee, school trustee, or board of school commissioners any materials, supplies, sanitary apparatus, or systems, which when constructed or remodeled or installed in or for any schoolhouse hereafter constructed or remodeled, which does not in all respects comply with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than \$500, to which may be added imprisonment in the county jail for any determinate period not more than 6 months and shall be punished by a further fine of not less than \$5 for each day he shall fail to comply with any order of any court having jurisdiction for the correction of any such defects in such schoolhouses hereafter constructed or remodeled; and any money claim for the construction or remodeling, or for any materials, supplies, sanitary apparatus, or systems furnished or constructed in or for any schoolhouse hereafter constructed or remodeled, which does not in every way and in all respects comply with the requirements of this act, shall be null and void."

School Buildings—Construction and Sanitary Regulation. (Reg. Bd. of H., Dec. 17, 1913.)

1. *Site.*—Schoolhouse sites shall be convenient of approach from the public road or street. An elevation shall be obtained, if possible, but if the site must necessarily be low or even level surface drainage and subsoil drainage, and filling if needed, shall be provided.

(a) *Surroundings.*—The site shall not be nearer than 500 feet to any of the following conditions, to wit: Swampy ground, body of stagnant water, cemetery, slaughterhouse, fertilizer-reduction plant, any business or manufacturing establishment which engenders noxious odors or vapors, or anything which pollutes the surrounding atmosphere, as gases, smoke, or dust, or any place of industry where disturbing noises prevail.

(b) *Area.*—No school site shall have an area less than 1 acre, and, wherever possible, shall have an area of 2 acres or more. The school playground shall have an area of at least 30 square feet for each pupil. The playground shall be well drained, well graveled, free from depressions in which water can stand, and shall be equipped with such apparatus as will encourage and afford wholesome exercise and recreation. For the purpose of inculcating a love of the beautiful and imparting practical knowledge concerning the growth and care of plant life, that part of all school grounds not occupied by buildings and playground should be laid out according to an approved plan in lawn and garden with shrubs and shade trees.

2. *School building.*—No school building shall be constructed more than two stories above the basement.

(a) *Basement.*—In every building in which the lower or basement floor is below the surface of the ground surrounding such building, and is used in part or as a whole for heating and ventilating apparatus, such lower floor shall be considered the basement story of such building.

(b) *Size of classrooms.*—No classroom shall exceed 24 feet in width. The ceiling shall be not less than 12 feet nor more than 14 feet in height. Wood ceilings shall not be used. Where metal ceilings are used, they shall be of a plain stamped panel design, with profile not greater than seven-eighths inch and with accurate joints securely nailed at every nailing point. Metal ceilings shall be put upon wood strips or sheathing of

not less than seven-eighths inch thickness, with insulating paper of not less than one-fourth inch thickness between the joists and such strips or sheathing. The metal cove and cornice shall be of plain design and shall be securely nailed to cornice block or ground of wood at intervals not greater than 4 feet. The cornice block or ground shall be securely fastened to the side wall and ceiling. The lower part of such metal cornice shall be connected to the side wall by means of wooden ground or mold in such way as to give a smooth finish and prevent the collection and retention of dust and dirt. Metal ceilings shall be painted a neutral color with flat coat paint and with particular attention given to filling of joints. Wall paper shall not be used in any school building.

(c) *Corridors and doorways.*—Main corridors, passageways, hallways, and exit doorways shall be equivalent in width to at least 24 inches for each 100, or fractional part thereof, of seating capacity of such portions of the building as will be required to use the same for exit. No corridor, passageway, or hallway, shall be less than 5 feet in width, and no doorway shall be less than 3 feet in width except where two or more doors, each 2 feet 8 inches or more in width, are grouped together.

(d) *Floors.*—The floors of toilet rooms, basement rooms not used for class purposes, and inclosures for plumbing fixtures and steam fittings within the building shall be of nonabsorbent waterproof material with nonabsorbent waterproof base not less than 6 inches high, and nonabsorbent waterproof sanitary cove. Wherever possible, the floors of laboratory rooms, domestic-science rooms, and corridors, shall be of nonabsorbent waterproof material, with nonabsorbent waterproof base not less than 6 inches high, and nonabsorbent waterproof sanitary cove. Cement floors shall be constructed with a mixture of iron compound or other equally efficient material, or shall be covered with cement enamel in order to render such floors waterproof and dust proof. Matting or other floor coverings shall not be used in any part of the school building except in superintendent's or principal's office, rest rooms, libraries, and teachers' rooms, or upon inclines when same are used in the building.

(e) *Plastering.*—The plastering at all angles, in all corners and at all windows and door jambs, shall be so rounded and coved as to prevent the collection and retention of dust.

(f) *Equipment rooms.*—Furnace, boiler, and storage rooms shall be of fireproof construction. No storage room closet shall be placed under any stairway. No boiler, furnace, heater, or heating coils shall be located directly beneath any entrance, exit, corridor, or stairway. The ceiling floor immediately above all furnaces, boilers, or heaters, shall be of fireproof construction, and in old buildings shall be rendered and maintained fireproof.

(g) *Entrance and exit doors.*—Entrance and exit doors shall be equipped with automatic opening device and with hardware of such kind as to be always unlockable from within. Revolving doors shall not be used. All doors shall open outward, and where double doors or storm houses are provided, the outer doors shall be devoid of fastenings but shall be held in place by spring hinges. All entrance and exit doors shall be unlocked at all times when school is in session.

(h) *Interior wood finish.*—All interior wood finish shall be as small as possible, and shall be so constructed and finished as to minimize or prevent the collection and retention of dust and dirt.

(i) *Location.*—No outside wall of any school building shall be nearer than 5 feet to any lot line of adjoining property.

(j) *Roof.*—The roof of all school buildings shall be constructed of slate or other equally efficient waterproof, noncombustible material.

3. *Lighting.*—No window sash shall have more than four lights and the tops of all windows shall be square. Whenever the proximity of other buildings or a portion of the same building interferes with the proper lighting of a classroom, the light shall be properly projected and diffused by the use of prism glass. When artificial lighting by means of electricity or gas is used, the lights shall be near the ceiling, and the light shall be properly projected and diffused by either indirect or semi-indirect system of

lighting. In case of electricity being used for light, all wiring shall be installed in iron conduit and all wires, fittings, materials, and construction work shall conform to the rules and requirements of the National Electrical Code, as recommended by the National Fire Protection Association for such class of wiring. Any system of artificial lighting aside from electricity as provided above shall be approved by the Indiana State fire marshal.

4. *Heating and ventilation.*—Heating and ventilating systems of all kinds shall take fresh air from outside the school building, evenly diffuse the same throughout each schoolroom during school session, and withdraw foul air from said schoolroom at a minimum rate of 1,800 cubic feet per hour for each 225 cubic feet of said schoolroom space, regardless of outside atmospheric conditions.

(a) *Test.*—The State board of health will test the efficiency of ventilating systems in school buildings as follows: With jacketed heaters and gravity systems, the anemometer test shall be made over the foul-air vents in classrooms. With plenum systems, the anemometer test shall be made over the fresh-air inlet of the fresh-air room and the fresh-air inlet in classrooms. With a double system of mechanical ventilation, the anemometer test shall be made at the fresh-air intake and at the foul-air vents in classrooms. In every test five readings shall be taken, one near each corner and one at the center of the air opening to be tested. A deduction of 5 per cent shall be made for a grill or register in the air opening. All tests shall be based upon the seating capacity of classrooms at 225 cubic feet of space per pupil. Before such test shall be made by the State board of health, the heating and ventilating contractor shall be given notice of the time when such test is to be made. The State board of health will make such tests upon the written request of trustees, school boards, boards of school commissioners, county, city, or State superintendents, or upon petition of ten or more patrons of the school.

5. *Stoves and heaters.*—In small buildings where furnace or steam heat with fresh air from outside the building is impracticable, stoves or floor furnaces of suitable size and construction surrounded by heat-proof metal jacket with open top, with fresh-air intake from outside the building and foul-air flue shall be installed. The heater shall be of sufficient capacity to secure and maintain a uniform temperature of 70° F. in zero weather.

6. *Jacket.*—The jacket shall be made of heavy galvanized iron, black iron, or other material equally durable, and shall be lined with sheet asbestos. There shall be an inner jacket of tin or other metal equally efficient with air space of not less than three-fourths inch between the jackets. The jacket shall stand not less than 3 inches from the stove or floor furnace, and may extend either to the tray, floor shield, or other foundation upon which the heater rests, or the lower 12 inches of the jacket may be open. If the jacket extends to the floor shield, the lower 12 inches of the jacket may have sliding or hinged doors to open and permit of recirculation of air when necessary to heat the room quickly. The fresh-air duct shall be provided with damper with operating device in plain view and easily accessible from inside the room.

7. *Dimensions of flues, fresh-air ducts, and vent pipes in jacketed heaters.*—(a) Following is a table giving the size of flue, fresh-air duct, and vent pipe to be used in a system having the same flue for smoke and foul air:

Table I.

	Contents of room in cubical feet.		
	8,000 and less.	8,000 to 12,000	12,000 to 16,000
Cross-sectional area of chimney not less than, square inches.....	144	256	400
Diameter of vent pipe not less than..... inches.....	12	16	20
Free area of foul-air vent not less than..... square inches.....	144	256	400
Cross-sectional area of fresh air duct not less than, square inches.....	144	256	400

(b) Dimensions of flues, foul-air flues and fresh-air ducts to be used in connection with a system having separate flues for smoke and foul air.

Table II.

	Contents of room in cubical feet.		
	8,000 or less.	8,000 to 12,000	12,000 to 16,000
	<i>Square inches.</i>	<i>Square inches.</i>	<i>Square inches.</i>
Cross-sectional area of smoke flue not less than.....	64	96	144
Cross-sectional area of vent flue not less than.....	189	525	651
Free area of foul-air vent not less than.....	189	525	651
Cross-sectional area of fresh-air duct not less than.....	144	256	400

Where an old building contains a flue vent larger than that required for new buildings, the vent opening may be reduced to the minimum area required for new buildings.

8. *Smoke pipe.*—No smoke-pipe connection between the heater and the smoke flue shall be more than 5 feet long, measuring horizontally. No metal tile or other smoke pipe shall extend through the walls, ceiling, or roof in any manner, except as prescribed in these rules.

9. *Chimney and ventilating flue.*—Each room in which a jacketed heater is installed shall be provided with a masonry stack, either with single flue for smoke and foul air, or with separate flues for the same. Double-flue chimneys shall not be used unless the same are entirely within the building with no wall exposed to the outside. Double-flue chimneys shall be built of masonry with one compartment for smoke and one for ventilation, with the dividing wall not more than 4 inches thick, and with the inside of all walls plumb, true, and finished to a smooth finish.

(a) *Metal stacks.*—In lieu of a dividing wall, a metal stack of not less than No. 16 gauge, noncorroding metal, or stack of glazed tile of not less than 1 inch thickness may be constructed within the masonry chimney. Such stack may be used for smoke, shall rest on the foundation of the chimney for support, shall be held in place by metal side braces, and the smoke shall enter such stack at the usual smoke-pipe height.

(b) *Mixing chamber.*—Where the same flue is used for both smoke and foul air, a suitable drum or mixing chamber shall be used for bringing the smoke and foul air together, in order to insure proper draft in both foul-air flue or pipe, and in smoke pipe. In no case shall the cross-sectional area of the mixing chamber or of the space surrounding the smoke pipe in the drum, be less than the cross-sectional area of the flue. The foul air may be taken out through a metal pipe extending from within 6 inches of the floor and connected with the smoke pipe through the drum before entering the flue, or may be taken directly through register or registers in the base of the flue.

(c) *Register.*—The bottom of register faces shall be at the floor level, and the free area of the register, after deducting 5 per cent for grill, shall equal the cross-sectional area of the flue. Where the chimney projects into the room, registers may be placed on two sides in order to reduce the height of the registers. Clean outs, accessible from the room, shall be provided for all flues and drums. A suitable damper with operating device in plain view and easily accessible from the room shall be provided so that vent flues can be shut off when not in use.

(d) Wherever possible, the heater and chimney shall be located at the same end of the room as the entrance door. In buildings of more than one room, when the same flue is used for both smoke and foul air, each room shall be provided with a separate chimney. When separate compartments for smoke and foul air are used, each room shall be provided with separate vent flue, but the same smoke flue may be used to accommodate not more than two rooms, and such flue shall have a cross-sectional area of not less than 144 square inches.

10. *Systems permissible in portable buildings or in old buildings about to be abandoned.*—A system with a metal smoke pipe placed within a metal vent flue extending above the highest point of the roof may be permitted in portable buildings, and in old one-story buildings when said old building is to be used for a period of not more than two years after such system is installed. The smoke pipe used in such system shall be of extra heavy material; the elbow inside the vent flue shall be of cast iron; the smoke pipe shall be supported from the vent flue by steel supports placed at intervals of not more than 3 feet; the vent flue shall be provided with an asbestos-lined collar, with at least 1 inch air space between the collar and vent flue where the same passes through the roof or ceiling, and shall be properly flashed and made water-tight. Complete plans and specifications covering such system shall be submitted to and approved by the State board of health before the same is installed.

11. *Portable buildings.*—Portable frame buildings, not larger than 28 by 36 feet and not more than one story in height, may be erected, provided the plans and location for such temporary building shall be approved by the State board of health, and provided such temporary building shall not be maintained on any one lot or block for a longer period than two years.

12. *Plenum and gravity systems of ventilation.*—Where plenum systems of ventilation are used, the warm-air flues shall have a cross-sectional area of not less than 10 square inches for each occupant of the room, based on the seating capacity of the room. The vent flues shall have a cross-sectional area of not less than 10 square inches for each occupant of the room, based on the seating capacity of the room.

Where gravity systems of ventilation are used, the warm-air flues and vent flues shall each have a cross-sectional area of not less than 16 square inches for each occupant of the room, based on the seating capacity of the room.

(a) *Location of flues.*—In school buildings of more than one room with plenum or gravity ventilation the warm-air flues and vent flues shall be on or in the inside walls of the building, and the warm-air inlets and the foul-air vents shall be on the same side of the room. Warm-air inlets shall be located not less than 5 feet from the floor. Wire screens of No. 8 gauge wire with 1½-inch mesh may be used to cover the warm-air inlets, except in rooms of such size and shape as to require the air to be deflected, in which case diffusers may be used. Foul-air vents shall be at the floor level, shall have a free area of not less than the cross-sectional area of the flue, and shall be clear of all obstructions. Grills or registers shall not be used in foul-air vents except with jacketed heaters. A chain damper, or other approved device, in plain view and easily accessible from inside the room shall be used to close the vent when not in use. The damper shall be kept open at all times when school is in session. The floor and baseboard shall be carried into the bottom of vent flue, and that part of the flue exposed to view shall be plastered and finished the same as the walls of the room.

13. *Reheated air.*—No vitiated air shall be reheated except as provided under jacketed heaters and floor furnaces, or except where an air washing system has been installed, and such system of rewashing and reheating air has been approved by the State board of health.

14. *Foot warmers.*—So-called foot warmers, if used, shall be placed in the walls of the main corridors at the floor level. No warm-air register or pedestal register shall be placed in the floor in any school building.

15. *Air supply.*—(a) In gravity or plenum systems of ventilation, except where wall openings directly into schoolrooms are used, the air supply shall be taken from outside the building through a window or windows into a room in the basement especially constructed for this purpose, with tight-fitting door, impervious and smooth walls, floor, and ceiling, to be known as the fresh-air room. The window or windows in the outer wall of the fresh-air room shall have a free area not less than the combined cross-sectional area of all the warm-air supply ducts, and shall be covered with a substantial wire screen of not more than one-half inch mesh, and shall be kept free from obstruc-

tion. This fresh-air room shall be kept clean and free from obstruction at all times. In no case shall basement air be permitted to enter the air supply.

(b) In gravity systems where wall openings directly [sic] into the rooms are used, the fresh-air supply shall be from outside the building, and the combined free cross-sectional area of fresh-air intakes shall be not less than the cross-sectional area of foul-air flue. Such fresh-air intakes shall be free from obstruction and shall be provided with an approved damper with operating device in plain view and easily accessible from inside the room. The damper shall be kept open at all times when school is in session. The outside openings of such fresh-air intakes shall be covered with substantial wire screen of not more than one-half inch mesh and shall be provided with a suitable hood or elbow to protect from rain or snow.

(c) With jacketed heaters the fresh-air supply shall be from outside the building, and the fresh-air duct shall be provided with an approved damper with operating device in plain view and easily accessible from inside the room.

(d) No fresh-air opening or foul-air vent in connection with any system of ventilation shall be closed at any time when school is in session.

(e) No part of the machinery, shafting, or pulley arrangement, of heating and ventilating apparatus, or waterworks system, shall be connected to the joist or flooring above.

(f) All flues shall start upon substantial foundation at the ground, shall extend through the attic and above the highest point of the roof, and, when necessary, shall be equipped with proper cowls to prevent down draft. Flues shall be built the same size the entire height, and all inside walls shall be plumb, true, and finished to a smooth finish. The outside walls of all chimneys shall be not less than 8 inches thick.

16. *Cloakrooms and wardrobes.*—Where cloakrooms or wardrobes are not separated from classrooms, or are separated only by skeleton doors, they shall be considered as part of the classroom, and the foul-air vent shall be placed in the cloakroom or wardrobes. Where cloakrooms or wardrobes are separated from classrooms, they shall be separately heated and ventilated the same as classrooms. Where suitable cloakrooms can not be provided, sanitary steel lockers may be placed in the corridors or classrooms, provided that such lockers will not in any way become an obstruction to the free passageway of the corridor.

17. *Ventilation in laboratory and domestic-science rooms.*—Gas plates, gas stoves, and burners used in domestic science or laboratory work shall be provided with suitable ventilating hoods connected with a vertical vent flue. This flue shall be separate from any other vent flue and the updraft in such flue shall be positive at all times.

18. *Temperature regulation.*—Whenever practical, temperature regulation shall be used. Whatever system of ventilation is used, the windows in all schoolrooms shall be opened whenever practical at recess periods and before the opening of the afternoon school session in order to thoroughly change the air of the rooms.

19. *Basement air.*—In every stairway leading from the first floor to the basement there shall be a swinging door with spring hinges to prevent basement air from entering the classrooms and corridors above, except where basement rooms are finished, have close-fitting doors, and are properly warmed and ventilated.

20. *Water supply.*—Open or dug wells, or springs, shall not be used. No well shall be within 100 feet of any privy, cesspool, or other known possible source of contamination. The water supply of every school shall be tested by the State board of health from sample submitted by the school trustee, school board, or the local health officer, whenever, in the opinion of the local health officer, such test shall be necessary, or whenever the State board of health shall require such test.

(a) *Drinking fountains.*—Where pressure water supply is available, sanitary drinking fountains shall be installed. Such drinking fountains shall be of the bubbling stream type and shall have vitreous china cup with two or more port holes so the user must drink from the bubbling stream. The construction of the sanitary head shall

be such that when the finger is placed over the nozzle the water passes to the waste through the ports provided for that purpose.

21. *Lavatories*.—Every schoolhouse shall be provided with substantial enameled-iron sinks or washbasins, soap, and sanitary paper or individual towels. Common or roller towels shall not be used. Lavatories shall be of cast iron porcelain enameled, or vitreous china. Where wall-trap lavatory with back is used, it must be all in one piece. All traps shall be cast brass with clean out with ground joints on sewer side of fixture.

22. *Floor drains*.—In all school buildings where a sewer outlet is practicable, the toilet rooms, washrooms, boiler and furnace rooms shall be provided with floor drains connected with such sewer outlet. These floor drains shall be conveniently located with the floor sloping to the drain from all parts of the room. Whenever domestic science rooms and laboratories have waterproof floors, and sewer outlet is practicable, these rooms shall also be provided with floor drains as above. In boys' toilet rooms the urinal trough may be used as the floor drain.

23. *Toilets*.—(a) *Flush toilets*.—Where a sewer system or pressure water supply is available or practicable, water-closets to the number of one seat for each 15 females, or fractional part thereof, and one seat for each 25 males, or fractional part thereof, and one urinal stall for each 15 males, or fractional part thereof, shall be installed. In estimating the number of closets to be installed, the occupants shall be divided as follows: 40 per cent males and 60 per cent females. Where the syphon type of closet is used, it shall be provided with seat-action flush with working parts of sufficient strength to withstand rough usage. Closets having any working parts of valve or any metal parts inside of bowl shall not be used. All receptacles used for water-closets and urinals, except as otherwise provided in these rules, shall be vitrified earthenware, hard natural stone, glass, or cast-iron porcelain enameled on the inside. If cast iron is used, it shall be enameled or painted on the outside with at least three coats of nonabsorbent and noncorrosive paint.

(b) *Latrines*.—Where latrines are used, they shall be provided with cast-iron automatic dumping tanks to hold not less than 10 gallons of water and arranged so the closets will be flushed at intervals of not longer than 15 minutes. The entire volume of water shall be delivered at once at one end of the range, passing through the entire length of the same, and discharging at the other end through the sewer trap. The bottom of the latrine shall have a depression under the center of each seat at least 1½ inches deep to retain water at all times.

(c) *Ventilation of toilets*.—There shall be a ventilating opening back of each individual water-closet bowl and each seat of the latrine of not less than 10 square inches free area, and each urinal stall shall have a ventilating opening both top and bottom of not less than 8 square inches free area. These toilet ventilating openings shall be connected to a vertical brick vent flue extending above the highest point of the roof. The updraft in this flue shall be positive at all times and shall be maintained either by aspiration or by use of an exhaust fan. If aspiration is used, the cross-sectional area of this toilet vent flue shall be not less than 360 square inches. If an exhaust fan is used, the cross-sectional area of this toilet vent flue shall be equal to the combined area of the toilet ventilating openings connected with such flue. Whenever proper ventilation of the toilet room is not provided by means of the closet system installed, the toilet room shall be properly ventilated by means of a separate vent flue.

(d) *Equipment of toilets*.—All closets shall be equipped with wooden seat top lids. All urinals shall be constructed of materials impervious to moisture and that will not corrode, and shall be divided into stalls not less than 16 inches nor more than 20 inches in width. Long hopper water-closets and similar appliances shall not hereafter be installed in any school building. When toilets are located in the basement, they shall be separated as to sexes by solid, sound-proof wall and shall be approached

by separate stairways and separate passageways. Boys' toilets shall be clearly marked "Boys' toilet" and girls' toilets shall be clearly marked "Girls' toilet."

24. *Indoor crematory closet.*—Whenever a sewer system or pressure water supply is not available or practicable, an indoor crematory sanitary closet system may be provided with the same number of seats and urinal stalls as specified for water-closets. If an indoor crematory sanitary closet is used, the vault of same shall be constructed of brick with cement floor, properly drained. The vault heater, gratings, floors, and stools shall be made of cast iron. The urinals shall be constructed of enameled iron, vitrified earthenware, slate, marble or glass, and shall have a ventilating opening both at top and bottom of not less than 8 square inches free area. The seat shall be made either of wood or aluminum, and if wood seats are used the underside of the same shall be lined with metal. The lids of the seats shall be provided with a self-closing device. Such closets shall be connected to a vent flue or stack with a free cross-sectional area of not less than 60 square inches for each closet seat and each stall of urinal, to which stack shall be connected a stack heater. Fire must be kept in both the stack heater and the vault heater at all times when school is in session, in order to maintain a positive updraft in the stack and to destroy the contents of the vault.

25. *Dry closets.*—So-called dry closets shall not hereafter be used in any school building.

26. *Outdoor sanitary closets.*—If an outdoor sanitary closet system is used, the vault receptacle and floor of such closet shall be of cement construction. Dry loamy earth, wood ashes, sifted coal ashes, or slaked lime shall be thrown in the vault receptacle at least once each day when school is in session, and the contents of the vault shall be removed at least twice in each school year. All outdoor closets shall be kept effectually screened and protected against flies. The interior walls of such closets shall be sided with corrugated metal sheathing, painted a drab color, and sanded while the paint is still wet. In the boys' closet a urinal of metal, cement, or other nonabsorbent materials with stalls shall be constructed and made to discharge through a proper drain into the soil away from the closet and not nearer than 100 feet to any source of water supply.

27. *Seating.*—Class and study rooms shall have aisles on all wall sides. In primary rooms center aisles shall be not less than 17 inches wide, with wall aisles not less than 28 inches wide. In grade rooms center aisles shall be not less than 18 inches wide, with wall aisles not less than 30 inches wide. In high-school rooms center aisles shall be not less than 20 inches wide, with wall aisles not less than 36 inches wide. All groups of seats shall be so arranged as to have an aisle on either side.

28. *Stairways.*—Stairways shall be equivalent in width to at least 18 inches for each 100 of seating capacity, classrooms and assembly rooms included. No stairway shall be less than 5 feet in width in clear except where the more than two stairways lead down from any floor, in which case stairways 4 feet in width in the clear may be counted in the total width of stairs required. Stairways shall be constructed with straight runs, changes in direction being made by landing, the width of which shall be not less than the width of the stairs. Stairways shall be constructed with uniform rise and tread. The riser shall be not more than 6½ inches and the tread not less than 11 inches, which dimensions shall be from tread to tread and from riser to riser. No door shall open immediately upon a stairway, but a landing at least the width of the door shall be provided between such door and stairway. To overcome any difference in floor levels requiring less than three risers, gradients shall be employed with not more than 1 inch rise in each 12 inches of run. Stairways, corridors, and all passageways leading to exits shall be kept free from obstruction at all times and shall not be used for storage or any other purpose except ingress and egress, except as herein provided for sanitary lockers. The walls connecting entrance and exit doorways to stairways shall extend directly from the edge of doorway to stairway with a slight curve instead of an angle and corner.

29. *Inclines.*—Whenever possible, and especially in large school buildings, the stairway should be superseded by the incline. "In practice we make the three-foot child take the same steps as the six-foot man. This is both unjust and unwise. The incline permits the short and the tall, the weak and the strong, to take such steps as best suit the individual pupil." The incline is more serviceable, safer, and better in every way than the stairway.

30. *Foundation.*—Foundations shall not be laid on filled or made ground or on any soil containing a mixture of organic matter.

31. *Humidity of air.*—Whenever practicable a system of air washing shall be installed in connection with plenum and gravity systems of ventilation in order that the air may be properly humidified before being introduced into the schoolroom. Where the air supply is direct to the schoolroom, through wall openings, each radiator shall be provided with a pan or receptacle to hold not less than 1 gallon, and so placed as to be constantly warmed and in plain view. Water shall be kept in such receptacle at all times when school is in session and the heating system is in use. Jacketed heaters and floor furnaces shall be provided with a pan or receptacle to hold not less than 3 gallons, and so placed as to be constantly warmed and in plain view. Water shall be kept in such receptacles at all times when school is in session and the heater is in use.

32. *Cleaning and sweeping.*—Whenever practicable, vacuum cleaning equipment shall be installed in school buildings. Dry sweeping and dusting is prohibited, and no sweeping shall be permitted in corridors, schoolrooms, or stairways while school is in session. Floor oil, some form of dust-down or sawdust treated with oil should be used on floors before sweeping.

33. *Directions for management.*—Whenever a system of heating and ventilation is installed, the heating contractor shall furnish full and complete printed instructions for the proper management and care of such system to the superintendent, principal, or teacher of the school, and shall in addition post a copy of such instructions in a prominent place in the boiler or furnace room for the instruction of the janitor.

34. *Power.*—Where an electric motor is installed for power purposes the wiring shall be installed in iron conduit and the wiring, fittings, materials, and construction work shall conform to the rules and requirements of the National Electrical Code. Where gasoline engines are installed for power purposes they must be located in a room of fireproof construction and must have the muffler or exhaust pot located at least 50 feet from the outside wall of the building, and the installation of such gasoline engine must conform to the rules and regulations of the State fire marshal. The storage of inflammable liquids for gasoline engines must conform to the rules and regulations of the State fire marshal for the use, handling, and storage of inflammable liquids.

35. *Heating.*—The heating apparatus and appliances not otherwise provided for in these rules must conform to the rules and regulations of the State fire marshal.

36. *Fire protection.*—On each floor, including basement, there shall be placed at least one 3-gallon chemical fire extinguisher at a readily accessible point. In large buildings where the area of each floor exceeds 6,000 square feet there shall be placed on each floor a 3-gallon chemical extinguisher for each 3,000 square feet of floor area. In cities having fire departments provided with a central fire alarm system, there shall be installed in a readily accessible place on the first floor of each school building a fire alarm box connected directly with fire headquarters. This box shall be supplied with a key protected by a glass door.

37. Stereopticons and motion picture machines when installed must conform to the rules and regulations of the State fire marshal.

38. Architects shall furnish heating and ventilating contractors full and detailed plans of all parts of the building in any way connected with the installation of heating and ventilating apparatus. Architects, sanitary engineers and heating and ventilat-

ing engineers shall certify by affidavit indorsed on all plans and specifications submitted, that such plans and specifications comply with the Indiana sanitary school-house law, and with the rules of the Indiana State Board of Health.

EQUIPMENT AND MAINTENANCE OF SCHOOL HACKS.

1. The term school hack as used herein shall include all wagons, hacks, and other vehicles of any kind whatsoever, used for public transportation of pupils to and from school.

2. School hacks shall be substantially built, painted throughout, well lighted, warmed and ventilated, clean and sanitary, kept in good repair and shall be operated and maintained with strict regard to the influence of such school hacks upon the health, morals and safety of the pupils thus transported.

3. All school hacks shall be swept and dusted thoroughly at least once each day, and in addition shall be specially cleaned and disinfected before being put in use at the beginning of school, and again at the time of Christmas vacation. Such special cleaning shall consist of first sweeping and dusting the interior, then scrubbing the floor, washing the windows and all interior wood work, including the seats, and then disinfecting the interior according to the rules of the State board of health.

4. The number of pupils to be transported in any school hack shall be limited to the normal seating capacity as provided in the construction of such hack. Every pupil must be provided with a comfortable seat without crowding.

5. All school hacks shall be so constructed and arranged that the pupils shall be in plain view of the driver.

6. Proper foot rests shall be provided for the use of smaller pupils when the seats are too high to allow the feet to rest comfortably on the floor.

7. No person shall be employed as driver of a school hack who is not able-bodied, not of normal mind, or who is addicted to the use of intoxicants or habit-forming drugs, or who has tuberculosis, or syphilis, or other communicable disease, or who is uncleanly in person or clothing, or immoral in habit. The use of tobacco or alcohol in any form in or on a school hack by pupils or driver is prohibited.

8. Both school trustees and the drivers of school hacks shall be held responsible for the sanitary maintenance of such hacks and for the moral behavior of pupils while occupants of such hacks.

Public Playgrounds, Baths, and Comfort Stations—Establishment of, in Cities. (Chap. 48, Act Feb. 28, 1913.)

SECTION 1. *Public playgrounds and public baths—How established.*—That the board of health and charities in cities of the first class in this State, and the board of health and charities or the board of school commissioners, or board of school trustees, in cities of the second, third, fourth, and fifth classes in this State, be, and the same are hereby, authorized to establish, maintain, and equip public playgrounds, public baths, and public comfort stations in said cities. That the boards of school commissioners and boards of school trustees or boards of health and charities in such cities are hereby authorized to use and to permit the use of any public grounds or buildings under their control as in their judgment may be required or adaptable, pursuant to the provisions and for the purpose designated in this act. And such boards are hereby authorized to lease or purchase grounds, additional to such public grounds, either adjacent thereto or elsewhere in such cities; and such boards are hereby empowered, pursuant to the laws of eminent domain now or hereafter in force within this State, to condemn real estate to be used for the purposes herein expressed and to pay for such real estate so condemned out of the revenue hereinafter provided for in this act.

SEC. 2. *How controlled.*—Such boards shall have full control and custody of all such playgrounds, baths, and comfort stations, including the policing and preservation of order thereon, and may adopt suitable rules, regulations, and by-laws for the

control thereof, and the conduct of children and other persons while on and using the same, and may enforce the same by suitable penalties. Such boards shall appoint a commissioner of public playgrounds, public baths, and public comfort stations, whose duty it shall be to superintend and manage the work, to select directors and assistants, who while on duty and for the purpose of preserving order and the observance of the rules, regulations, and by-laws of the said boards shall have the powers and authorities of police officers of the respective cities in and for which they were severally appointed. The compensation for such employees shall be fixed by such boards.

SEC. 3. *Expenses—How paid.*—All the expenses necessarily incurred in carrying out the provisions of this act shall be borne by such civil cities. The common councils of such cities of the first class shall and cities of the second, third, fourth, and fifth classes may, annually, beginning in 1913, levy the sum of not less than 1 cent nor more than 2 cents on each \$100 of taxables within such cities to create the sum to be known as the "recreation fund," to be expended by such boards in carrying out the provisions of this act. Such funds shall under no circumstances be used for any other purposes, but for the purposes aforesaid shall be subject to the warrant of the proper city official without any further appropriation.

SEC. 4. *Repeal.*—All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sewage, Disposal of—Sanitary Districts, Establishment and Maintenance. (Chap. 307, Act Mar. 15, 1913.)

SECTION 1. *Sanitary districts—Petitions—County commissioners—Hearing—Election—Boundary lines.*—That whenever any area of contiguous territory within the limits of any one county shall contain two or more incorporated municipalities and shall be so situated that the maintenance of a common outlet for the drainage, including the sewage thereof, or a joint system for the disposal of the sewage thereof, will conduce to the preservation of the public health, the same may be incorporated as a sanitary district under this act, in the manner following, to wit: Any 500 freehold legal voters, residing within the limits of such proposed sanitary district, may petition the board of county commissioners of the county in which they reside to cause the questions to be submitted to the legal voters of such proposed district, whether they will organize a sanitary district under this act: *Provided*, That not less than 100 of said petitioners shall be resident freehold legal voters in each municipality included in such proposed sanitary district. Such petition shall be addressed to the board of county commissioners of said county and shall contain a definite description of the territory intended to be embraced in such sanitary district, and the name of such proposed sanitary district: *Provided, however*, That no territory shall be included within more than one sanitary district, under this act.

Upon the filing of such petition in the office of the auditor of such county, as clerk of the board of county commissioners of such county in which such territory is situated, it shall be the duty of such board of county commissioners, and such board of county commissioners shall have power and authority to consider the boundaries of any such proposed sanitary district whether the same shall be as described in such petition or otherwise. Notice shall be given by such board of county commissioners of the time and place where such commissioners shall meet for the consideration of such petition by a publication inserted in one or more newspapers of general circulation, published in each of the different municipalities included in the proposed district, such publication to be had at least 20 days prior to the date set for such meeting. At such meeting all persons in such proposed sanitary district shall have an opportunity to be heard upon the question of the location and boundary of such proposed district and to make suggestions regarding the same, and such board after hearing statements, evidence, and suggestions shall fix and determine the

limits and boundaries of such proposed sanitary district, and for that purpose and to that extent may alter and amend such petition. At the time of such determination said board shall call a special election, to be held within 60 days thereafter, and at such election shall submit to the legal voters residing in the proposed sanitary district the question of the incorporation of the proposed sanitary district as determined by said board. Notice of such special election shall be given by said board for at least 30 days prior to said election by publication in one or more newspapers of general circulation published in each of the different municipalities included in said proposed sanitary district, such notice to specify briefly the purpose of such election with a description of such proposed district. Each legal voter residing in said proposed sanitary district shall have a right to vote at such election. The ballot at such election shall be in form substantially as follows:

YES For sanitary district.

NO Against sanitary district.

and the voter shall indicate his choice by placing an X in one of the squares.

Said special election shall be held as nearly as may be practicable under all the provisions of, and in conformity with, the general election laws of the State, and all laws fixing penalties for violation of the general election laws shall apply to such election: *Provided, however,* That the returns of such special election shall be made to said board of county commissioners, which board shall canvass the same and cause the result to be spread of record in its proceedings. If a majority of the votes cast in each municipality included within the boundaries of such proposed sanitary district, and if a majority of the votes cast in any part of a municipality if such part and not the whole of such municipality be included within the boundaries of such proposed sanitary district upon the question of the incorporation of the proposed sanitary district shall be in favor of the proposed sanitary district, such board shall enter an order incorporating such sanitary district, and such sanitary district shall thenceforth be deemed an organized sanitary district under this act. All courts in this State shall take judicial notice of the existence of all sanitary districts organized under this act.

The expenses of holding said special election shall be paid by the board of county commissioners of said county in which said proposed sanitary district is located out of the general funds of said county: *Provided, however,* That in the event such sanitary district is established and incorporated under this act then said sanitary district shall repay to said county the expenses incurred in holding said special election within two years from the date of incorporating such sanitary district.

SEC. 2. Trustees—Governor appoints.—In each sanitary district incorporated under this act the governor shall, within the period of 30 days after such incorporation, appoint five trustees who shall reside in said district, and not more than three of whom shall be members of the same political party, and not more than three of whom shall be appointed from any one municipality within such district: *Provided,* That if there be not more than five municipalities in such district one of said trustees shall be appointed from each of said municipalities, and if there be less than five municipalities, in such district than [then] one of said [trustees] shall be appointed from each of said municipalities and the others appointed at large from said sanitary districts. The trustees so appointed shall hold their offices until the next general election, and until their successors shall be elected and qualified. At the next general election following the appointment of said trustees, and every four years thereafter, there shall be nominated and elected by the legal voters of said sanitary district five trustees for such sanitary district: *Provided,* That if there be not more than five municipalities in such district, one of said trustees shall be nominated and elected from each of said municipalities, and if there be less than five municipalities in such district then one of said trustees shall be nominated and elected from each of said municipi-

palities, and the remainder of said trustees may be nominated and elected at large from said sanitary district: *Provided, however,* That said trustees shall be elected by the electors of said district at large. The terms of office of said trustees so elected shall begin on January 1 following said general election, and be for the term of four years, and until their successors are duly elected and qualified. The trustees so appointed and their successors, who shall thereafter be elected, shall receive a salary of \$1,000 per year each, except the president of said board of trustees, who shall receive a salary of \$1,200 per year, to be paid to said trustees out of the funds of said sanitary district.

Such sanitary district shall, from the time of the said appointment of the said trustees as provided in this act, be construed to be in law and in equity a body corporate and politic by the name and style of such sanitary district, and by such name and style may sue and be sued, contract and be contracted with, acquire and hold real estate and personal property necessary for its corporate purposes, and may adopt a common seal and alter the same at pleasure.

Sec. 3. Trustees have corporate authority—Powers—Officers.—The trustees provided for in the preceding sections of this act shall constitute a board of trustees for said sanitary district for which they are appointed, which board of trustees is hereby declared to be the corporate authorities of such sanitary district and shall exercise all the powers and manage and control all the affairs and property of such sanitary district. Said board of trustees shall have the right and power to elect a clerk, treasurer, chief engineer, and attorney for such sanitary district, which officers shall hold their respective offices during the pleasure of said board, and shall give such bonds for the faithful performance of their duties as may be required by said board. Said board of trustees shall also have power to employ and prescribe the duties and fix the compensation of all such officers and employees of said sanitary district. Said board of trustees shall have full power to pass all necessary ordinances, resolutions, orders, rules, and regulations for the proper management and conduct of the business of said sanitary district and shall have power to carry into effect the ordinances, orders, resolutions, rules, and regulations of said sanitary district for the business for which said district is formed.

Said board of trustees shall organize by electing one of their number president. All ordinances, orders, rules, resolutions, and regulations passed by said board of trustees shall before they take effect be approved by the president of said board of trustees, and if he shall approve thereof he shall sign the same, and such as he shall not approve he shall return to the board of trustees with his objections thereto in writing at the next regular meeting of said board of trustees occurring after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation or to the entire ordinance, and in case the veto only extends to a part of such ordinance the residue thereto shall take effect and be in force, but in case the president of said board of trustees shall fail to return any ordinance, order, rule, resolution, or regulation with his objections thereto by the time aforesaid he shall be deemed to have approved the same, and the same shall take effect accordingly upon the return of any ordinance, order, rule, resolution, or regulation by the president; the veto by which the same was passed shall be reconsidered by the board of trustees, and if upon such reconsideration four-fifths of all the members of said board of trustees shall agree by yeas and nays to pass the same it shall go into effect, notwithstanding the president may refuse to approve thereof. Said board of trustees shall adopt rules and regulations for the conduct of the business of said board and shall fix a stated time at which the regular meetings of said board shall be held. Said board of trustees shall establish an office within said district and shall cause to be kept a full, complete, accurate, and itemized account of all its proceedings, ordinances, orders, resolutions, rules, and regulations.

Sec. 4. Ordinances—Making appropriations.—All money paid out by said sanitary district shall first be appropriated by said board of trustees by ordinance, designating

the purpose for which it is proposed to pay out said money. All ordinances making appropriations shall, within one month after they have been adopted, be published in a newspaper of general circulation published in said district, and no such ordinance shall take effect until 10 days after it is so published. All other ordinances, orders, rules, and resolutions shall take effect from and after their passage, unless otherwise provided therein.

SEC. 5. *Rules and regulations.*—All ordinances, rules, orders, and resolutions, and the date of publication thereof, may be proven by the certificate of the clerk of said sanitary district, under the seal of the corporation, and when printed in book or pamphlet form, purporting to be published by said board of trustees, such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, rules, orders, and resolutions, as of the dates mentioned in such book or pamphlet, in all courts and places, without further proof.

SEC. 6. *Maintenance of main channels and drains.*—The board of trustees of any sanitary district organized under this act shall have power to provide for the drainage of such district by laying out, establishing, constructing, and maintaining one or more main channels, drains, ditches, and outlets for carrying off and disposing of the drainage, including the sewage of such districts, together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed in a satisfactory manner, and to provide for the laying out, establishing, constructing, and maintaining sewage-disposal plants and works, main channels and outlets for the carrying off and disposing of the drainage and sewage of said district: *Provided*, That such drains, ditches, adjuncts, additions, sewage-disposal plants, works, mains, channels, outlets, and any other improvements established or constructed by said sanitary district shall serve and benefit the entire territory within such sanitary district and not otherwise: *Provided*, That nothing in this act shall be construed to limit the power of the municipalities included in said sanitary district from constructing and establishing drains and sewers within the corporate limits of such municipality: *Provided further, however*, That before any general outlet, main, or trunk sewer shall be constructed by any such municipality included in said sanitary district a plan or profile of any such proposed general outlet, main, or trunk sewer shall be filed in the office of the board of trustees of said sanitary district and be approved by said board. Such mains, channels, drains, ditches, and outlets for carrying off and disposing of the drainage, including the sewage of such district, together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed in a satisfactory manner, and such disposal plants and works, main channels, and outlets for the carrying off and disposing of the drainage and sewage of said district may extend outside the territory included within such sanitary district, and the rights and powers of said board of trustees over the portion of such channel or outlet and sewage-disposal plant, or works, lying outside of such district shall be the same as those vested in said board over said portions of such channels or outlets, plants or works, within the said district.

SEC. 7. *Title to real estate.*—Such sanitary district may acquire in fee simple by purchase, condemnation, or otherwise any and all real and personal property, right of way, and privilege, either within or without its corporate limits, that may be necessary for its corporate purposes: *Provided*, That all moneys for the purchase and condemnation of any such property shall be paid before possession thereof is taken, or any work done thereon, and provided in case an appeal is taken by either party from the court in which such condemnation is ordered, whereby the damages are not finally determined, the amount of damages awarded by such court shall be deposited with the clerk of such court, subject to the orders of such court, when the amount of damages shall be finally determined. All condemnation proceedings brought hereunder shall be governed by the statutes prescribing the procedure in cases of eminent domain.

SEC. 8. *Bonds issued.*—Said sanitary district may borrow money for its corporate purposes and may issue its bonds therefor, but it shall not become indebted in any manner or for any purpose whatsoever beyond an amount in the aggregate of 2 per cent of the valuation of the taxable property within said district, to be ascertained by the last assessment of State and county taxes, previous to the incurring of said indebtedness.

SEC. 9. *Payment of principal and interest.*—Either at the time of or before incurring any bonded indebtedness the board of trustees shall provide for the collection of annual taxes sufficient to pay the interest thereon when the same shall fall due, and also to pay and discharge the principal thereof when the same shall fall due, at least within 20 years from the time of contracting said indebtedness.

SEC. 10. *Contracts—Bidders—Publication.*—All contracts for work to be done by said sanitary district where the expense will exceed \$500 shall be let to the lowest responsible bidder after 15 days' public notice of the terms and conditions upon which such contract is to be let, notice of the letting of such contract having been given by publication in a newspaper of general circulation published in said district. The said board of trustees shall have power and authority to reject any and all bids and to re-advertise.

SEC. 11. *Tax levy.*—The board of trustees may levy and collect taxes for the corporate purposes of said sanitary district upon all the property within the territorial limits of such sanitary district, the aggregate amount of which taxes levied shall not exceed one-half of 1 per cent of the valuation of the taxable property within the corporate limits, as the same shall be assessed and equalized for State and county taxes for the year in which the levy is made. Said board shall cause the amount required to be raised by taxation each year to be certified to the auditor of the county in which such district is located on or before the 1st day of August in each year. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes are now collected and enforced, and the taxes so collected shall be paid over by the officers collecting the same to the treasurer of said sanitary district in the same manner and at the same time as now provided by law for the transfer of taxes to municipal corporations.

SEC. 12. *Money to pay expenses.*—The board of trustees of said sanitary district shall have power to raise money to defray the expenses of any improvement made by it in the execution of the powers hereby granted to such sanitary district by general taxation only as provided in this act.

SEC. 13. *Payment of bonds.*—The board of trustees of such sanitary district shall have the right to call in and pay off any bonds issued by it as fast as there is money received into the treasury of said sanitary district: *Provided*, That such money so received into the treasury shall not have been appropriated for the payment of any other obligation.

SEC. 14. *Eminent domain—Damages.*—Whenever the board of trustees of any sanitary district shall pass an ordinance for the making of any improvement which said district is authorized to make, the making of which will require that private property shall be taken or damaged, said district may cause compensation therefor to be ascertained and condemn and acquire possession thereof in the same manner, as nearly as may be, as is or may be provided by law for the acquiring of property under the general statutes on the subject of eminent domain: *Provided, however*, That proceedings to ascertain the compensation to be paid be instituted in the county where the property sought to be taken or damaged is situated: *And provided further*, That all damages to property, whether determined by agreement or by final judgment of the court, shall be paid out of the annual district tax prior to the payment of any other debt or obligation.

SEC. 15. *Right of way.*—When it shall be necessary, in making any improvements which any sanitary district is authorized by this act to make, to enter upon any public property, or property held for public use, such district shall have the power so

to do and may acquire the necessary right of way over such property held for public use in the same manner as is above provided for acquiring right of way through or over private property, and may enter upon, use, widen, deepen, and improve any navigable waters, waterways, canal, or lake: *Provided*, The public use thereof shall not be unnecessarily interrupted or interfered with and that the same shall be restored to its former usefulness as soon as practicable.

SEC. 16. *Liability for damages—Notice.*—Any sanitary district incorporated under this act shall be liable for all damages to real estate, within or without such district, which shall be damaged by reason of the construction, enlargement, or use of any channel, ditch, sewer, drain, or outlet, or other improvement made by such sanitary district under the provisions of this act, and an action to recover such damages may be brought against said sanitary district in the county where such real estate is situated, or in the county where such sanitary district is located, at the option of the party claiming to be injured. Before any action for damages shall be brought against said sanitary district the person claiming damages shall notify the trustees of such district in writing at least 60 days before beginning suit by leaving a copy of such notice with some one of the trustees of such district stating that he claims damages to the amount of dollars by reason of, and intends to sue for the same.

SEC. 17. *Right to amend or repeal.*—Nothing in the act contained shall be so construed as to constitute a contract or grant between the State of Indiana and any sanitary district formed under its provisions, or to prevent, debar, or deprive the State of Indiana from at any time in the future altering, amending, or repealing this act, or imposing any conditions, restrictions, or requirements other, different, or additional to any herein contained upon any sanitary district which may be formed hereunder.

SEC. 18. *State board of public accounts—Supervision.*—Any sanitary district created under this act shall be subject to the provisions of an act entitled "An act concerning public accounting and reporting, and supervision thereof, and providing penalties for violation of this act," approved March 4, 1909, the same being chapter 55 of the acts of the General Assembly of the State of Indiana for the year 1909, and all acts and parts of acts amendatory thereof and supplemental thereto.

SEC. 19. *Report to governor.*—The trustees of all sanitary districts, created under this act, shall, on or before the 1st day of January of the year following the incorporation of any such sanitary district, report to the governor of this State and to the two branches of the legislature thereof, separately, all of the items of expenditures therefor made by them as such trustees of the money so belonging to said sanitary district, together with all items of receipts from all sources, and shall furnish with all such reports copies of all contracts entered into by them for the expenditure of moneys so belonging to said district, and biennially thereafter the trustees for any such district shall make full, complete, accurate, and itemized reports of all receipts and expenditures of such moneys to be hereafter made by them, respectively, together with a copy of all contracts for the expenditures of money hereafter to be made by such trustees to the governor and the two branches of the legislature of this State, separately; and the governor and either branch of the said legislature of this State shall have the right to examine the books of said trustees and all expenditures made by or in such district, by committee or otherwise, and to call for further reports, accounts, items, and copies of all contracts made by, or documents held in the possession of, any such trustees, and upon the failure, refusal, or neglect of any such trustees to accurately and completely furnish any and all such items, accounts, documents, and reports of contracts, as provided in this act, any and all trustees of any such sanitary district shall forfeit their office and by writ or quo warranto be ousted and removed therefrom. All such actions shall be brought in the county wherein such trustees may reside.

SEC. 20. *Contiguous territory—Annexation.*—Territory contiguous to any sanitary district may be annexed to and become a part of such sanitary district in the following manner: If the board of trustees of any such sanitary district shall by ordi-

nance decide that such contiguous territory shall be annexed to and become a part of such sanitary district, and thereafter shall petition the board of county commissioners of the county in which such sanitary district is located, to cause the question to be submitted to the legal voters of such sanitary district and to the legal voters of such territory proposed to be annexed to and made a part of such sanitary district, whether such territory shall be annexed to and become a part of such sanitary district, said petition containing a definite description of the territory proposed to be annexed to said sanitary district, then upon the filing of such petition in the office of the auditor of such county, as clerk of the board of county commissioners of such county in which such sanitary district is located, the same procedure shall be had, as near as may be, as provided for in section 1 hereof, and if a majority of the votes cast in such sanitary district and if a majority of the votes cast in such territory proposed to be annexed to and made a part of such sanitary district, upon the question of such annexation, shall be in favor of such annexation, then such board of county commissioners shall enter an order annexing such territory to and incorporating the same into said sanitary district, and such territory shall thenceforth be a part of said sanitary district.

SEC. 21. Repeal.—All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Interments—Mausoleums, Vaults, etc.—Construction of. (Chap. 131, Act Mar. 7, 1913.)

SECTION 1. Mausoleum—Plans—State board of health.—That hereafter when any person, firm, or corporation shall desire to build, construct, or erect any mausoleum, vault, or other burial structure, the same to be built or constructed entirely above ground, or partly above and partly by excavation, and to be built, constructed, and erected so that the same may contain 20 or more deceased human bodies, for permanent interment, before proceeding to build, construct, or erect such mausoleum, vault, or other structure shall present all plans for such construction to the State Board of Health of the State of Indiana, and, if approved by such board, may proceed with the construction and erection of such mausoleum, vault, or other structure.

SEC. 2. Burial vaults—Examination by health officer.—All crypts or catacombs, if any be placed in such mausoleum, vault, or other structure, shall be so constructed that all parts thereof may be readily examined by the State board of health or any other health officer, and such crypts or catacombs shall be hermetically sealed, after such deceased body or bodies shall have been placed therein, that no offensive or unhealthful odor or effluvia may escape therefrom.

SEC. 3. Vaults hermetically sealed.—Should any person, firm, or corporation fail to hermetically seal such crypts or catacombs, so placed or constructed in such mausoleum, vault, or other burial structure, and by reason of such failure offensive odors or effluvia arise therefrom, such State board of health, or any other health officer of the State or county in which such mausoleum, vault, or other burial structure shall be situated, shall, upon the complaint of any resident of the township where such mausoleum, vault, or other burial structure may be situated, compel the sexton or other person in charge of such mausoleum, vault, or other burial structure to immediately remove said deceased body or bodies therefrom and properly inter the same at the expense of the person, firm, or corporation owning such mausoleum, vault, or other burial structure. And if no such person, firm, or corporation may be found in the county where the same may be located then such interment shall be at the expense of the township where such mausoleum, vault, or other burial structure may be situated.

SEC. 4. Penalty.—Any person, firm, or corporation who shall fail or refuse to comply with the provisions of this act may be fined in any sum not exceeding \$500, to which may be added imprisonment in the county jail not exceeding 6 months.

Bodies of Dead Animals—Disposal of. (Chap. 111, Act of Mar. 6, 1913.)

SEC. 4. Disposition of bodies—Specifications.—No place shall be deemed a suitable or sanitary place for disposing of the bodies of dead animals unless it conform to the following specifications: A building adapted to the purposes intended, provided with concrete or cement floors and provided with good drainage and thoroughly sanitary, all to the approval of the State veterinarian. In case such bodies are to be disposed of by cooking, the cooking vats or tanks shall be air tight except proper escapes or vents for live steam used in cooking. Such steam shall be so disposed of as not to cause unnecessary annoyance and so as not to cause a nuisance. All skinning and dismembering of bodies shall be done within such building so that no annoyance shall be caused by the unsightly appearance of such bodies. Such place shall be so situated, arranged, and conducted as not to interfere with the comfortable enjoyment of life and property of the citizens of this State. In case such bodies are disposed of by burying, they shall be buried to such a depth that no part of any such body shall be nearer than 4 feet to the natural surface of the ground, and every part of such body or carcass shall be covered with quicklime and by at least 4 feet of earth. In case such bodies are disposed of by burning, the place for such burning shall be so located, constructed, and arranged as to cause no annoyance to any of the citizens of this State by such burning and so as not to essentially interfere with the comfortable enjoyment of life or property. All parts of such bodies not entirely consumed by such burning shall be disposed of by burying as above provided or in such other manner as may be directed by the State veterinarian. All carcasses of animals dying from disease or accident shall be disposed of in manner above provided within 24 hours after death.

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SEC. 10. How transported.—Any person, firm, or corporation holding a license under the provisions of this act may haul and transport the carcasses of hogs that have died from disease and also hogs while such animals are afflicted with disease in a covered wagon bed or tank which is water-tight and is so constructed that no drippings or seepings from such carcasses or hogs can escape from such wagon bed or tank: *Provided, however,* Such wagon bed or tank shall be so constructed as to conform to the rules and regulations that may be established by the State veterinarian, and said carcasses shall not be moved from said wagon bed or tank except at the place of final disposal.

Tenement Houses—Construction, Maintenance, and Use of. (Chap. 149, Act Mar. 8, 1913.)

SECTION 1. Housing law—where applicable.—That this act shall apply to all incorporated cities in this State.

SEC. 2. Definitions.—Certain words in this act are defined for the purposes thereof as follows: Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular; the word "person" includes a corporation as well as a natural person.

A "tenement house" is any house or building, or portion thereof, which is rented, leased, let or hired out, to be occupied, or is occupied, or is intended, arranged, or designed to be occupied as the home or residence of two or more families living independently of each other (which family may consist of one or more persons) and having a common right in the halls, stairways, yard, cellar, water-closets or privies, or any of them, and includes apartment houses and flat houses, but does not include hotels; and including dwelling houses occupied or intended to be occupied as the home or residence of one family or more, if built in a continuous row of more than two houses, if the halls, stairways, yard, cellar, water supply, well, and cistern, water-closets or

privies, or any of them are used in common; shall be deemed to be tenement houses and shall be subject to all the provisions of this act, except sections 18 and 35.

A "yard" is an open unoccupied space on the same lot with a tenement house, between the extreme rear line of the house and the extreme rear line of the lot. A yard between the front line of the house and the front line of the lot is a "front yard." A side yard shall be deemed an open, unobstructed space the full length of the building.

A "court" is an open unoccupied space, other than a yard, on the same lot with a tenement house. A court not extending to the street or yard is an inner court. A court extending to the street or yard is an outer court.

A "public hall" is a hall, corridor, or passageway not within an apartment.

A "stair hall" includes the stairs, stair landings and those portions of the public halls through which it is necessary to pass in going between the entrance floor and the roof.

A "basement" is a story partly underground but having at least one-half of its height above the finished grade, provided such finished grade be not below the lowest curb level adjacent to the lot.

A "cellar" is a story more than one-half below the finished grade, provided such finished grade be not below the lowest curb level adjacent to the lot.

A "fireproof tenement house" is one of the walls of which are constructed of brick, stone, cement, iron, or other hard incombustible material, and in which there are no wood beams or lintels, and in which the floors, roofs, stair halls and public halls are built entirely of brick, stone, cement, iron or other hard incombustible material, and in which no woodwork or other inflammable material is used in any of the partitions, furrings or ceilings. But this definition shall not be construed as prohibiting, elsewhere than in the stair halls, or entrance halls, the use of wooden floorings on top of the fireproof floors or the use of wooden sleepers, nor as prohibiting wooden handrails or treads of hardwood not less than 2 inches thick, nor doors or wooden lath in partitions.

A "wooden building" is a building of which the exterior walls or a portion thereof are of wood.

The word [nuisance] shall be held to embrace public nuisance as known at common law or in equity jurisprudence; and be it further enacted that whatever is dangerous to human life or detrimental to health; whatever building or erection, or part, or cellar thereof is overcrowded with occupants, or is not provided with adequate ingress and egress to and from the same, or the apartments thereof, or is not sufficiently supported, ventilated, sewered, drained, cleaned, or lighted, in reference to its intended or actual use, and whatever renders the air or human food or drink unwholesome, are also severally in contemplation of this act, nuisances; and all such nuisances are hereby declared illegal.

The word "shall" is always mandatory and not directory, and denotes that the house shall be maintained in all respects according to the mandate as long as it continues to be a tenement house.

Wherever the words "inspector of buildings," or "board of health" occur in this act they shall be taken to mean the local inspector of buildings, and the local board of health respectively, by whatever name known, in the city in which the tenement house or building is situated. In case there shall be no local inspector of buildings or board of health in any city, the powers, obligations and duties conferred and imposed upon them by this act shall be assumed by and discharged by the mayor of such city.

Wherever the words "charter," "ordinances," "regulations," or "department charged with the enforcement of this act," occur in this act they shall be construed as if followed by the words "of the city in which the tenement house is situated." Wherever the words "is occupied" are used in this act, applying to any building, such words shall be construed as if followed by the words "or is intended, arranged or designed to be occupied." Wherever the word "street" is used in this act it shall be construed as including any public alley 10 feet or more in width.

The "height" of a tenement house is the perpendicular distance measured in a straight line from the curb level to the highest point of the roof beams, in the case of flat roofs, and to the average of the height of the gable in the case of pitched roofs, the measurements in all cases to be taken through the center of the façade of the house. Where a building is on a corner lot and there is more than one grade or level, the measurements shall be taken through the center of the façade on the street having the highest elevation.

A "corner lot" is a lot situated at the junction of two streets, or of a street and a public alley not less than 10 feet in width. Any portion of the width of such lot distant more than 70 feet from such junction shall not be regarded as part of a corner lot but shall be subject to the provisions of this act respecting interior lots. A lot other than a corner lot is an "interior lot."

The front of a lot is that boundary line which borders on the street. In case of a corner lot, the owner may elect by statement on his plans either street boundary line as the front. The rear of a lot is the side opposite to the front. In the case of a triangular or gore lot the rear shall be the boundary line not bordering on a street.

Occupied spaces.—Outside stairways, fire escapes, porches or platforms shall be considered as part of the building and not as part of the yards or courts, or unoccupied area.

Lot.—A lot, for the purposes of this act shall mean any separate part or parcel of real estate of a separate and distinct description and ownership.

Apartment.—An apartment is a room, or suite of two or more rooms occupied, or suitable to be occupied, or intended to be occupied as a residence for one family. A family may consist of one or more persons.

An apartment house is any house or building containing two or more apartments.

SEC. 3. *Buildings converted or altered.*—A building not a tenement house, if hereafter converted or altered to such use, shall thereupon become subject to all the provisions of this act affecting tenement houses hereafter erected.

SEC. 4. *Alterations and change in occupancy.*—No tenement house hereafter erected shall at any time be altered so as to be in violation of any provision of this act. If any tenement house or any part thereof is erected, altered or occupied contrary to law, such tenement house shall be deemed an unlawful structure, and the board of health may cause such building to be vacated. And such building shall not again be occupied until it or its occupation, as the case may be, has been made to conform to the law.

SEC. 5. *Law not to be modified.*—The provisions of this act shall be held to be the minimum requirements adopted for the protection of the health and safety of the community. Nothing in this act contained shall be construed as prohibiting the local legislative body of any city from enacting from time to time supplementary ordinances imposing further restrictions. But no ordinance, regulation, or ruling of any municipal authority shall repeal, amend, modify or dispense with any provision of this act.

SEC. 6. Except as herein otherwise specified, every tenement house shall be constructed and maintained in conformity with the existing law and ordinances.

SEC. 7. *Sewer connections and water supply.*—The provisions of this act with reference to sewer connection and water supply shall be deemed to apply only where connection with a public sewer and with public water mains is or becomes accessible, and such connection shall be held and deemed to be accessible when such public sewer and public water mains are within a distance of 100 feet of any outside line of the lot upon which the tenement house may be situated.

SEC. 8. *State board of health.*—The State board of health shall have power to examine into the enforcement of the laws relating to tenement houses in any city. Whenever required by the governor, it shall make such an examination and shall report the result thereof to the governor within the time prescribed by him therefor.

SEC. 9. *Percentage of lot occupied.*—No tenement house hereafter erected shall occupy, either alone or with other buildings, a greater percentage of the area of the lot than as

follows: In the case of corner lots not more than 85 per cent; in the case of corner lots with streets on three sides, not more than 90 per cent; in the case of interior lots, not more than 65 per cent. In the case of interior lots the measurements shall be taken at the ground level; in the case of corner lots the measurements may be taken at the top of the first story. No measurements of lot area shall include any portion of any street or alley.

SEC. 10. *Height*.—No tenement house hereafter erected shall exceed in height one and one-half times the width of the widest street upon which it abuts.

SEC. 11. *Yards*.—Behind every tenement house hereafter erected there shall be a yard extending across the entire width of the lot and at every point open from the ground to the sky unobstructed. Every part of such yard shall be directly accessible from every other part thereof. The depth of said yard shall be measured from the extreme rear of the house toward the rear line of the lot. Where the rear of the lot abuts an alley for the lot's full width, the depth of the lot may be measured to the middle line of the alley; where there is no such alley the measurements shall be taken to the rear lot line. In the case of interior lots no yard shall be less than 25 feet in depth, except that in the case of interior lots which are less than 100 feet in depth, the yard may be in depth not less than 25 per cent of such depth of lot, but in no case less than 10 feet deep. In the case of corner lots no yard shall be less than 15 feet in depth. In the case of corner lots bordering on three streets, the yard need not extend across the full width of the lot, but only to its median line. In the case of corner lots having an average depth of less than 100 feet with the ground floor used for mercantile purposes, no yard shall be required if such ground floor structure extends from one street to another street. If the tenement house exceeds three stories in height, the depths above prescribed shall in each case be increased 3 feet for each story above three stories. A side yard shall not be less than 4 feet in width at any one point for all tenement houses three stories or less and this space must be increased 6 inches for each additional story.

SEC. 12. *Yards on lots running from street to street*.—On lots which run through from one street to another street and which exceed 100 feet in average depth, the yard of a tenement house hereafter erected shall be left either at the rear of said lot abutting directly on the street, or there shall be a yard space directly across the center of the lot. All such yard spaces shall be of such sizes and arranged in such manner as prescribed in section 11 of this act. On such lots where the average depth of the lot is 100 feet or less no yard need be provided. For the purposes of this section an alley is not a street.

SEC. 13. *Courts*.—The sizes of all courts in tenement houses hereafter erected shall be proportionate to the height of the building. No court shall be less in any part than the minimum sizes prescribed in this section. The minimum width of a court for a one-story and for a two-story building shall be 10 feet, for a three-story building 12 feet, for a four-story building 14 feet, and shall increase 2 feet for each additional story. The length of an inner court shall never be less than twice the minimum width prescribed by this section. A court located on the lot line if it adjoins throughout the length of said court a court of equal or greater width on the abutting premises, may be one-half the minimum width above prescribed, provided the owner of said abutting premises files in the county recorder's office a written easement agreement that he, his heirs, administrators, and assigns will keep such adjoining space unbuild upon and available for light and air.

SEC. 14. *Courts open at top*.—No court of a tenement house hereafter erected shall be covered by a roof or skylight, but every such court shall be at every point open from the ground to the sky unobstructed, except where the first floor is used for mercantile purposes, the court shall be open from the top of the first floor to the sky.

SEC. 15. *Air intakes*.—In a tenement house hereafter erected every inner court shall be provided with two or more horizontal air intakes at the bottom. One such intake

shall always communicate directly with the street and one with the yard, and shall consist of a fireproof passageway not less than 3 feet wide and 7 feet high, which shall be left open, or be provided with an open gate at each end.

SEC. 16. *Extensions or offsets to courts.*—Extensions or offsets to courts in tenement houses hereafter erected will be permitted, but no such extension or offset shall be less than 6 feet in width in any part; its depth may be less than but never greater than one and one-half times its width. Such dimensions shall be deemed the minimum dimensions for a two-story building, and shall increase 1 foot for each story above two stories.

SEC. 17. *Angles in courts.*—Nothing contained in the foregoing sections concerning courts shall be construed as preventing windows at the angles of said courts, provided that the running length of the wall containing such windows does not exceed 6 feet.

SEC. 18. *Rear tenements.*—No tenement house shall hereafter be erected upon the rear of a lot where there is a tenement house on the front of the said lot, nor upon the front of any such lot upon the rear of which there is such a tenement house. This provision shall not apply to tenement houses abutting on two streets and located on the outside corner of the lot: *Provided, however,* That no tenement house shall be erected unless both tenement houses on the same lot, including tenement houses constructed prior to the passage of this act, shall fully comply with all the provisions of this act with reference to yards.

SEC. 19. *Buildings on same lot with tenement houses.*—If any building is hereafter placed on the same lot with a tenement house there shall always be maintained between the said buildings an open unoccupied space extending upward from the grounds and extending across the entire width of the lot. Such space shall never be less than 25 feet in depth. Where either building is four stories in height, such open space shall be 30 feet in depth, and such open space shall be increased 3 feet in depth throughout its entire width for each additional story. And no building of any kind shall be hereafter placed upon the same lot with a tenement house so as to decrease the minimum size of courts or yards as hereinbefore prescribed. Except that where an alley not less than 10 feet wide abuts the rear of the lot, a rear building, if not used for tenement house or manufacturing purposes, may be built up to the rear line of the lot, provided it does not exceed one story in height and that the space between it and the front building is maintained as required by this section. And if any tenement house is hereafter erected upon any lot upon which there is already another building, it shall comply with all the provisions of this act, and in addition the space between the said building and the said tenement house shall be of such size and arranged in such manner as is prescribed in this section, the height of the highest building on the lot to regulate the dimensions.

SEC. 20. *Rooms, lighting of and ventilation of.*—In every tenement house hereafter erected every room, including water-closet compartments and bathrooms, shall have at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this chapter and such window shall be so located as to properly light all portions of such rooms.

SEC. 21. *Windows in rooms.*—In every tenement house hereafter erected the total window area in each room, including water-closet compartments and bathrooms, shall be at least one-seventh of the superficial floor area of the room, and the top of at least one window shall not be less than 7 feet above the floor, and the upper half of it shall be made so as to open the full height. At least one such window in rooms other than bathrooms or water-closets shall be not less than 12 square feet in area between the stop beads; and in water-closet compartments and bathrooms at least one such window shall be not less than 6 square feet in area between the stop beads.

SEC. 22. *Rooms, size of.*—In every tenement house hereafter erected all rooms, except water-closet compartment and bathrooms, shall be of the following minimum sizes: In each apartment there shall be at least one room containing not less than 150

square feet of floor area, and each other room shall contain at least 100 square feet of floor area. Each room shall be in every part not less than 9 feet high from the finished floor to the finished ceiling.

SEC. 23. *Alcoves and alcove rooms.*—In a tenement house hereafter erected an alcove in any room shall be separately lighted and ventilated as provided for rooms in the foregoing sections. No part of any room in a tenement house hereafter erected shall be inclosed or subdivided at anytime, wholly or in part, by a curtain, portière, fixed or movable partition, or other contrivance or device, unless such part of the room so inclosed or subdivided shall contain a separate window as herein required and shall have a floor area of not less than 100 square feet: *Provided*, That nothing in this section nor in this act shall prohibit the construction of clothes closets, china closets, or pantries in any room when such construction will not reduce the minimum requirements of such room as specified in this act.

SEC. 24. *Chimneys and fireplaces.*—In every tenement house hereafter erected, there shall be adequate chimneys, running through every floor with an open fireplace or grate, or place for a stove, for every apartment, properly connected with one of said chimneys, except where the building is heated from a central plant.

SEC. 25. *Privacy.*—In every tenement house hereafter erected, in each apartment access to every living room and bedroom and to at least one water-closet compartment shall be had without passing through any bedroom.

SEC. 26. *Public halls.*—In every tenement house hereafter erected, every public hall shall have at each story at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this chapter. Such window shall be at the end of said hall with the natural direction of the light parallel to the hall's axis. There shall be in every such public hall at least one window opening upon a street, yard, or court for every 40 feet, or fraction thereof, in length of such hall. Any part of a public hall which is shut off from any other part of said hall by a door shall be deemed a separate hall within the meaning of this section.

SEC. 27. *Windows for public halls, size of.*—One, at least, of the windows provided to light each public hall or part thereof shall be at least 2 feet 6 inches wide and 5 feet high, measured between stop beads.

SEC. 28. *Windows for stair halls, size of.*—In every tenement house hereafter erected, there shall be provided for each story at least one window to light and ventilate each stair hall, which shall be at least 3 feet wide and 5 feet high, measured between the stop beads. A sash door shall be deemed the equivalent of a window in this and the two foregoing sections: *Provided*, That such door contains the amount of glazed surface prescribed for such windows.

SEC. 29. *Cellar rooms.*—In tenement houses hereafter erected, no room in the cellar shall be constructed, altered, converted, or occupied for living purposes.

SEC. 30. *Basement rooms.*—In tenement houses hereafter erected, no room in the basement shall be constructed, altered, converted, or occupied for living purposes, unless, in addition to the other requirements of this act, all of the following conditions are complied with: Such room shall be at least 9 feet high in every part from the floor to the ceiling. The ceiling of such room shall be in every part at least 4 feet and 6 inches above the finished grade of the lot, and at least as high above the lowest curb level adjacent to the lot; when such room or the apartment containing it is located in the rear of the building, the yard or courts upon which such room or apartment opens shall extend to a point below the floor level of said room. Every such room shall be an integral part of an apartment containing a room having a window opening directly to the street or yard. There shall be appurtenant to such room a separate water-closet constructed and arranged as required by section 34 of this act. Such room shall have a window opening upon the street or upon a yard or court of the dimensions specified in this chapter. The total area of windows in such room shall be at least one-seventh of the superficial floor area of the room, and the upper half of the

window shall be made to open the full height. No such window shall be less than 12 square feet in area between the stop beads. All walls surrounding such room shall be damp proof. The floor of such room shall be damp proof and waterproof.

SEC. 31. *Cellars, damp proofing and lighting.*—Every tenement house hereafter erected shall have a cellar or excavated space under the entire first floor at least 3 feet in depth or shall be elevated above the ground so that there will be a clear air space of at least 24 inches between the top of the ground and the bottom of said floor, so as to insure ventilation and protection from dampness. Such space shall in all cases be inclosed, but provided with ample ventilation and properly drained. Every tenement house hereafter erected shall have all walls below the ground level and the cellar or lowest floor damp proof and waterproof. All cellars and basements in such tenement houses shall be properly lighted and ventilated in all their parts.

SEC. 32. *Drainage of courts, areas, and yards.*—In every tenement house hereafter erected all courts, areas, and yards shall be properly graded and drained and connected with the street sewer, so that all waters may drain freely into the street, alley, or sewer.

SEC. 33. *Water supply.*—In every tenement house hereafter erected there shall be in each apartment a proper sink with running water.

SEC. 34. *Water-closet accommodations.*—In every tenement house hereafter erected there shall be within each apartment a separate water-closet located in the bathroom or in a separate compartment. Each such water-closet compartment shall be not less than 3 feet wide, and shall be inclosed with plastered or other mineral partitions, which shall extend to the ceiling. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum size prescribed by this act. Every water-closet compartment hereafter placed in any tenement house shall be provided with proper means of lighting the same at night. If fixtures for gas or electricity are not provided in said compartment, then the door of said compartment shall be provided with translucent glass panels not less in area than 4 square feet. No water-closet fixtures shall be inclosed with any woodwork. No water-closet shall be placed out of doors nor in the cellar of any tenement house except as an appurtenance to an engine or boiler room, and then only in case such cellar closet is lighted and ventilated as required herein for a basement room.

SEC. 35. *Sewer connection.*—No tenement house shall hereafter be erected on any street unless it be connected with a public sewer in such street, or a private sewer connecting directly with a public sewer and also connected with public water supply, if such sewer and water supply are accessible. No cesspool or privy vault or similar means of sewage disposal shall be used in connection with any such tenement house, but every such house shall have its plumbing system connected with a public sewer before such house is occupied.

SEC. 36. *Plumbing.*—In every tenement house hereafter erected no plumbing fixtures shall be inclosed with woodwork, but the space underneath shall be left entirely open. In all tenement houses hereafter erected where plumbing or other pipes pass through floors or partitions the openings around such pipes shall be sealed or made air-tight with incombustible materials, so as to prevent the passage of air or the spread of fire from one floor to another or from room to room. All plumbing work shall be sanitary in every particular and except as otherwise specified in this act shall be in accordance with the plumbing regulations of said city. Pan and long hopper closets will not be permitted.

SEC. 37. *Fireproof tenement, when required.*—No tenement house shall hereafter be erected exceeding three stories in height exclusive of basement or cellar, nor in any case exceeding 42 feet in height, unless it shall be a fireproof tenement house.

SEC. 38. *Fire escapes.*—Every tenement house hereafter erected which is three or more stories in height, exclusive of cellar or basement, unless it is a fireproof tenement house or unless provided with fireproof outside stairways directly accessible to each

apartment, shall have fire escapes located at each story, the floor or which is 12 or more feet above the ground, and shall open directly from at least one room or private hall in each apartment, other than a bathroom or water-closet compartment, and such room or private hall shall be an integral part of said apartment and accessible to every room thereof without passing through a public hall. Access to fire escapes shall not be obstructed in any way. No fire escape shall be placed in any court except an outer court. All fire escapes shall consist of outside open iron, terra-cotta, or stone balconies and stairways. All balconies shall be not less than 3 feet in width and shall include at least one window or outside door of each apartment at each story located as above specified. All stairways shall be placed at an angle of not more than 45 degrees to the horizontal, with flat open steps not less than 6 inches in width and 24 inches in length and with a rise of not more than 8 inches. The openings for stairways in all balconies shall be not less than 24 by 36 inches, and shall have no covers of any kind. The balcony on the top floor, except in the case of a balcony on the street, shall be provided with a stairs or with a gooseneck ladder leading from said balcony to and above the roof and properly fastened thereto. A drop ladder or stairs shall be provided from the lowest balcony of sufficient length to reach to a safe landing place beneath. All fire escapes shall be constructed and erected to safely sustain in all their parts a safe load, and if of iron shall receive not less than two coats of good paint, one in the shop and one after erection. In addition to the foregoing requirements, all fire escapes hereafter erected upon tenement houses shall be constructed in accordance with such supplementary regulations as may be adopted by the inspector of buildings.

SEC. 39. *Scuttles and bulkheads.*—Every tenement house hereafter erected exceeding two stories in height shall have in the roof a bulkhead or scuttle not less than 2 by 3 feet in size. Such scuttle or bulkhead shall be covered with metal on the outside and easily accessible to all tenants of the building. No scuttle or bulkhead shall be located in a closet or room, but shall be located in the ceiling of the public hall on the top floor, and access through the same to the roof shall be direct and uninterrupted.

SEC. 40. *Stairs and public halls.*—In every tenement house hereafter erected the stairs and public halls shall each be at least 3 feet 6 inches wide in the clear. All stairs shall be constructed with a rise of not more than 8 inches and with treads not less than 10 inches wide in the clear. Winding stairs will not be permitted unless width of tread is at least 10 inches at a distance of 18 inches from the inner stringer.

SEC. 41. *Entrance halls.*—Every entrance hall in a tenement house hereafter erected shall be at least 4 feet 6 inches wide in the clear. In every tenement house hereafter erected access shall be had from the street or alley to the yard either in a direct line or through a court.

SEC. 42. *Cellar stairs.*—In nonfireproof tenement houses hereafter erected exceeding two stories in height the inside cellar stairs shall be inclosed and provided with doors at top or bottom.

SEC. 43. *Closet under first-story stairs.*—In tenement houses hereafter erected no closet of any kind, unless its four walls and ceiling be fireproof, shall be constructed under any staircase leading from the first story to the upper stories, but such space shall be left entirely open and kept clear and free from incumbrance.

SEC. 44. *Cellar entrance.*—In every tenement house hereafter erected there shall be an entrance to the cellar or other lowest story from the outside of said building.

SEC. 45. *Wooden tenement houses.*—No wooden tenement house exceeding two stories in height or arranged to be occupied by more than two families on any floor shall hereafter be erected. And no wooden building not now used as a tenement house shall hereafter be altered or converted to such use so as to be in violation of the provisions of this section.

SEC. 46. *Percentage of lot occupied.*—No tenement house shall hereafter be enlarged, or its lot be diminished, or other building placed on its lot, so that a greater percentage of the lot shall be occupied by buildings or structures than provided in section 9 of this act.

SEC. 47. *Height*.—No tenement house shall be increased in height so that the said building shall exceed one and one-half times the width of the widest street on which it stands.

SEC. 48. *Yards*.—No tenement house shall hereafter be enlarged or its lot be diminished, or other building placed on the lot so that the yard shall be less in size than the minimum sizes prescribed in section 11 of this act for tenement houses hereafter erected.

SEC. 49. *Courts in existing buildings*.—Any court used or intended to be used to light or ventilate rooms or water-closet compartments and which may be hereafter constructed in a tenement house erected prior to the passage of this act shall not be less in area than 64 square feet, nor less than 8 feet in its least dimension in any part, and such court shall under no circumstances be roofed or covered over at the top with a roof or skylight; every such court shall be provided at the bottom with two horizontal air intakes which shall consist of passageways each not less than 3 feet wide and 7 feet high, which shall communicate directly with the street and yard, and shall always be left open, or be provided with an open gate at each end. Nothing in this section shall apply to existing buildings until same shall be altered or remodeled into a tenement house.

SEC. 50. *Additional rooms and halls*.—Any additional room or hall that is hereafter constructed or created in a tenement house shall comply in all respects with the provisions of this act, except that such rooms may be of the same height as the other rooms on the same story of the house.

SEC. 51. *Alcoves and alcove rooms*.—No part of any room in a tenement house shall hereafter be inclosed or subdivided, wholly or in part, by a curtain, portière, fixed or movable partition, or other contrivance or device, unless such part of the room so inclosed or subdivided shall contain a window as required by sections 20 and 21 of this act, and have a floor area of not less than 100 square feet.

SEC. 52. *Skylights*.—All new skylights hereafter placed in a tenement house shall be provided with ridge ventilators having a minimum opening of 40 square inches and also with either fixed or movable louvers or with movable sashes, and shall be of such size as to furnish adequate ventilation.

SEC. 53. *Water-closet accommodation*.—Every new water-closet hereafter placed in a tenement house, except one provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of section 34 of this act relative to water-closets in tenement houses hereafter erected.

SEC. 54. *Fireproof tenements*.—No tenement house shall hereafter be altered so as to exceed three stories in height, exclusive of basement or cellar, unless it shall be a fireproof tenement house.

SEC. 55. *Fire escapes*.—All fire escapes hereafter constructed on any tenement house shall be located and constructed as prescribed in section 38 of this act.

SEC. 56. *Roof stairs*.—No stairs leading to the roof in any tenement house shall be removed or replaced with a ladder.

SEC. 57. *Stairways*.—No public hall or stairs in a tenement house shall be reduced in width so as to be less than the minimum width prescribed in sections 40 and 41 of this act.

SEC. 58. *Alteration of wooden tenement houses*.—No existing wooden tenement house shall hereafter be increased in height; nor shall it be altered so as to be occupied by more than two families on any floor. No wooden tenement house containing more than two apartments on any floor shall hereafter be enlarged or extended; except that a wooden extension not exceeding in total area 70 square feet may be added to an existing wooden tenement house, provided such extension is used solely for bathrooms or water-closets.

SEC. 59. *Public halls, lighting of, in the daytime*.—In every tenement house exceeding two stories in height, where the public halls and stairs are not sufficiently lighted, the

owner of such house shall keep a proper light burning in the hallway, near the stairs, upon each floor, as may be necessary, from sunrise to sunset.

SEC. 60. *Public halls, lighting at night.*—In every tenement house two stories or more in height, or occupied by four families or more, lighting connections and fixtures shall be installed and a proper light shall be kept burning by the owner in the public hallways, near the stairs, upon every floor of said house, every night from sunset to sunrise throughout the year.

SEC. 61. *Water-closets in cellars.*—Under no circumstances shall the general water-closet accommodations of any tenement house be permitted in the cellar or basement thereof.

SEC. 62. *Water-closet accommodation.*—In every tenement house existing prior to the passage of this act there shall be provided at least one water-closet for every two families.

SEC. 63. *Basement and cellar rooms.*—Hereafter in tenement houses erected prior to the passage of this act no room in the cellar shall be occupied for living purposes; and no room in the basement of such houses shall be so occupied unless all the following conditions are complied with: Such room shall be at least 7 feet high in every part from the floor to the ceiling. There shall be appurtenant to such room the use of a water-closet. At least one of the rooms of the apartment of which such room is an integral part shall have a window opening directly to the street or yard of at least 12 square feet in size clear of the sash frame, and which shall open readily for purposes of ventilation. The lowest floor shall be waterproof and damp proof. Such room shall have sufficient light and ventilation, shall be well drained and dry, and shall be fit for human habitation.

SEC. 64. *Cellar walls and ceilings.*—The cellar walls and ceilings of every tenement house shall be thoroughly whitewashed or painted a light color by the owner and shall be so maintained.

SEC. 65. *Water-closets and sinks.*—In all tenement houses the floor or other surface beneath and around water-closets and sinks shall be maintained in good order and repair, and if of wood and used by more than one family, shall be kept well painted with light-colored paint.

SEC. 66. *Repairs.*—Every tenement house and all the parts thereof shall be kept in good repair, as to all matters affecting health, safety, or morals, and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as to prevent its dripping onto the ground or causing dampness in the walls, ceilings, yards, or areas.

SEC. 67. *Water supply.*—Every tenement house more than two stories in height shall have on every floor at least one proper sink with running water furnished in sufficient quantity at one or more places accessible to each family on the floor occupied by said family, without passing through any other apartment. The owner shall provide proper and suitable tanks, cisterns, pumps, or other appliances to receive and to distribute an adequate and sufficient supply of such water at each floor in the said house, at all times of the year, during all hours of the day and night. But a failure in the general supply of water by the city authorities shall not be construed to be a failure on the part of such owner.

SEC. 68. *Cisterns.*—Where there is no city water supply reasonably accessible, there shall be provided one or more adequate cisterns with a pump or other attachments for drawing water, but with no opening for drawing water with pails or buckets.

SEC. 69. *Cleanliness of buildings.*—Every tenement house and every part thereof shall be kept clean and free from any accumulation of dirt, filth, rubbish, garbage, or other matter in or on the same, or in the yards, courts, passages, areas, or alleys connected with or belonging to the same.

SEC. 70. *Catch basins.*—In all tenement houses where sinks with running water are not provided inside the house conveniently accessible to the tenants, one catch

panels in the doors located at the ends of the public halls and opening into rooms shall be removed and ground glass or other translucent glass or wire glass panels of an aggregate area of not less than 4 square feet for each door shall be substituted; or said public hall may be lighted by a window at the end thereof with the natural direction of the light parallel to the axis of the said hall, said window opening upon the street or upon a yard or court.

SEC. 85. *Public halls, lighting and ventilation of.*—In all tenement houses erected prior to the passage of this act, the public halls and stairs shall be provided with as much light and ventilation to the outer air as may be practicable. All new skylights hereafter placed in such houses shall be provided with ridge ventilators having a minimum opening of 40 square inches and also with either fixed or movable louvers or with movable sashes, and shall be of such size as may be practicable.

SEC. 86. *Sinks.*—In all tenement houses erected prior to the passage of this act, the woodwork inclosing sinks shall be removed and the space underneath said sinks shall be left open. The floors and wall surfaces beneath and around the sink shall be put in good order and repair, and if of wood and used by more than one family shall be kept well painted with light-colored paint.

SEC. 87. *Water-closets.*—In all tenement houses erected prior to the passage of this act, the woodwork inclosing all water-closets shall be removed from the front of said closets, and the space beneath the seat shall be left open. The floor or other surface beneath and around the closet shall be put in good order and repair and if of wood and used by more than one family shall be well painted with light-colored paint.

SEC. 88. *Basements and cellars.*—The floor of the cellar or lowest floor of every tenement house shall be free from dampness and, when necessary, shall be concreted with 4 inches of concrete of good quality and with a finished surface. The cellar ceiling of every tenement house shall be plastered, when necessary to prevent the spread of damp air.

SEC. 89. *Fire escapes.*—Every tenement house three or more stories in height exclusive of cellar or basement, unless it is a fireproof tenement house, shall be provided either with outside stairways or fire escapes directly accessible to each apartment without passing through a public hallway. All the fire escapes hereafter erected shall be located and constructed as prescribed in section 38 of this act. No existing fire escape shall be deemed sufficient unless the following conditions are complied with: All parts of it shall be of iron, terra cotta, or stone. Every apartment the floor of which is 12 feet or more above the ground shall have a fire escape balcony directly accessible to it without passing through a public hall. All balconies shall be properly connected with each other by adequate stairs or stationary ladders, with openings not less than 24 by 36 inches. All fire escapes shall have proper drop ladders from the lowest balcony of sufficient length to reach a safe landing place beneath. All fire escapes not on the street shall have a safe and adequate means of egress from the yard or court to the street or to the adjoining premises. Prompt and ready access shall be had to all fire escapes, which shall not be obstructed by bath tubs, water-closets, sinks or other fixtures, or in any other way. All fire escapes that are already erected which do not conform to the requirements of this section may be altered by the owner to make them so conform in lieu of providing new fire escapes, but no existing fire escape shall be extended or have its location changed except with the written approval of the inspector of buildings.

SEC. 90. *Wooden fire escapes.*—All wooden floor slats, floors, stairs, ladders, balconies, or other wooden portions of now-existing fire escape shall be removed and replaced with iron.

SEC. 91. *Means of egress.*—Whenever a tenement house is not provided with sufficient fire escapes or with sufficient means of egress in case of fire, the inspector of buildings may order such additional fire escapes and other means of egress as may be necessary.

SEC. 92. *Scuttles, bulkheads, ladders, and stairs.*—Every tenement house exceeding two stories in height erected prior to the passage of this act, shall have in the roof a bulkhead or a scuttle which shall not be less than 24 inches by 36 inches. All scuttles shall be covered on the outside with metal and easily accessible to all tenants of the building. No scuttle shall be located in a room, but all scuttles shall be located in the ceiling of the public hall on the top floor, and access through the scuttle to the roof shall be direct and uninterrupted. If located in a closet, said closet shall open from the public hall and the door to it shall be permanently removed, or shall be fastened only by movable bolts or hooks without key locks. When deemed necessary by the inspector of buildings scuttles shall be hinged so as to readily open. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or hooks. All key locks on scuttles and on bulkhead doors shall be removed.

SEC. 93. *Permit to commence building.*—Before the construction or alteration of a tenement house, or the alteration or conversion of a building for use as a tenement house, is commenced, and before the construction or alteration of any building or structure on the same lot with a tenement house, the owner, or his agent or architect, shall submit to the board of health or to the inspector of buildings a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for such tenement house or building, upon blanks or forms to be furnished by such departments, and also full and complete copies of the plans of such work. With such statement there shall be submitted a plat of the lot showing the dimensions of the same, the location of the proposed building and any other buildings on the lot. Such statement shall give in full the name and residence, by street and number, of the owner or owners of such tenement house or building. If such construction, alteration, or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence, by street and number, not only of the owner of the land, but every person interested in such tenement house, either as owner, lessee, or in any representative capacity. Said affidavit shall allege that said specifications and plans are true and contain a correct description of such tenement house, building, structure, lot, and proposed work. The statements and affidavits herein provided for may be made by the owner, or the person who proposes to make the construction, alteration, or conversion, or by his agent or architect. No person, however, shall be recognized as the agent of the owner, unless he shall file with the said departments a written instrument, signed by such owner designating him as such agent. Any false swearing in a material point in any such affidavit shall be deemed perjury.

Such specifications, plans, and statements shall be filed in the said departments and shall be deemed public records, but no such specifications, plans, or statements shall be removed from said departments. The said departments shall cause all such plans and specifications to be examined. If such plans and specifications conform to the provisions of this act they shall be approved and written certificates to the effect shall be issued by said departments, respectively, to the person submitting the same. Such department may, from time to time, approve changes in any plans and specifications previously approved, provided the plans and specifications when so changed shall be in conformity with law. The construction, alteration, or conversion of such tenement house, building, or structure or any part thereof, shall not be commenced until the filing of such specifications, plans, and statements, and the approval thereof, as above provided. The construction, alteration, or conversion of such house, building, or structure, shall be in accordance with such approved specifications and plans. Any permit or approval which may be issued by the board of health or the inspector of buildings but under which no work has been done above the foundation walls within one year from the time of the issuance of such permit or approval, shall expire by limitation.

SEC. 94. *Certificate of compliance.*—No building hereafter constructed as or altered into a tenement house shall be occupied in whole or in part for human habitation until the issuance of a certificate by the board of health that said building conforms in all respects to the requirements of this act relative to the light and ventilation and sanitation of tenement houses hereafter erected, nor until the issuance by the inspector of buildings of a certificate that said building conforms in all respects to the requirements of this act relative to fire protection of tenement houses hereafter erected. Such certificates shall be issued within 10 days after written application therefor, if said building at the date of such application shall have been constructed according to the officially approved plans and specifications. In cities having a building inspector the powers and duties provided for by sections 93 and 94 hereof, shall belong exclusively to such inspector.

SEC. 95. *Unlawful occupation.*—If any building hereafter constructed as or altered into a tenement house be occupied in whole or in part for human habitation in violation of the last section, during such unlawful occupation no rent shall be recoverable by the owner or lessee of such premises for said period, and no action or special proceedings shall be maintained therefor. And said premises shall be deemed unfit for human habitation and the board of health may cause them to be vacated accordingly.

SEC. 96. *Penalties for violations.*—Every person who shall violate or assist in the violation of any provision of this act shall be guilty of a misdemeanor punishable by imprisonment for 10 days for each and every day that such violation shall continue, or by a fine of not less than \$10 nor more than \$100 if the offense be not willful, or of \$250 if the offense be willful. The owner of any tenement house or part thereof, or of any building or structure upon the same lot with a tenement house, or of the said lot, where any violation of this act or a nuisance exists, and any person who shall violate or assist in violating any provision of this act shall also jointly and severally for each such violation and each such nuisance be subject to a penalty of \$50. Such persons shall also be liable for all costs, expenses, and disbursements paid or incurred by said departments, by any of the officers thereof or by any agent, employee or contractor of the same, in the removal of any such nuisance or violation. Any person who having been served with a notice or order to remove any such nuisance or violation, shall fail to comply with said notice or order within 5 days after such service, or shall continue to violate any provision or requirement of this act in the respect named in said notice or order, shall also be subject to a civil penalty of \$250. For the recovery of any such penalties, costs, expenses, or disbursements, an action may be brought in any court of civil jurisdiction.

SEC. 97. *Laws repealed.*—All laws in conflict with the provisions of this act are hereby repealed.

SEC. 98. This act shall be in full force and effect on and after July 1, 1913.

IOWA.

Morbidity Reports—Venereal Diseases. (Act Mar. 29, 1913.)

SECTION 1. *Contagious diseases defined.*—That syphilis and gonorrhea are hereby declared contagious and infectious and shall be reported as contagious diseases to the local board of health.

SEC. 2. *Physicians' duty to report—Record—Name not disclosed.*—From and after the 1st day of January, A. D. 1914, it shall be the duty of every physician and surgeon practicing within the State of Iowa to report to the local board of health, within 24 hours, every case of syphilis or gonorrhea coming to his knowledge, and shall make and preserve a record of every such case so reported, numbering each case consecutively. He shall require the person to state whether or not he has been previously reported to a local board of health in this State, and if so, when, where, by whom, and under what number. The report shall state the sex of the person and the age as nearly as practicable, together with the character of the disease and the probable source of infection, and whether previously reported or not, and if so, when, where, by whom, and under what number, but shall not disclose the name of the infected person.

SEC. 3. *Failure to report—Penalty.*—Any physician or surgeon who shall be called upon to treat professionally anyone afflicted with syphilis or gonorrhea who shall fail to report the same to the local board of health within 24 hours shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$100 or imprisonment in the county jail not more than 30 days. And in addition thereto the State board of health may revoke his license or certificate to practice medicine, surgery, and obstetrics in the State of Iowa.

SEC. 4. *Transmission—Penalty.*—Any person afflicted with either of these diseases who shall knowingly transmit or assume the risk of transmitting the same by intercourse to another person shall be guilty of a misdemeanor, and upon conviction thereof be fined in the sum of not to exceed \$500 or imprisoned in the county jail not to exceed one year, or both such fine and imprisonment. And in addition thereto shall be liable to the party injured in damages to be recovered in any court of competent jurisdiction.

SEC. 5. *Acts in conflict repealed.*—All acts or parts of acts in conflict with any of the foregoing sections are hereby repealed.

State Board of Health—Organization of—Secretary. (Chap. 207, Act. Apr. 17, 1913.)

SECTION 1. *Repeal—State board of health—Officers—Membership—Board of appointment—Terms—Qualifications—Compensation—Vacancies—Meetings.*—That the law as it appears in section 2564 of the supplement to the code, 1907, be and the same is hereby repealed and the following enacted in lieu thereof:

That the governor, secretary of state, and auditor of state are hereby made a board of appointment, two of whom shall constitute a quorum for the purpose of making appointments as hereinafter provided, and the secretary of the executive council shall be the secretary thereof. Said board of appointments shall appoint a secretary of the State board of health, who shall be a legally qualified physician and a graduate of a reputable school of medicine, of not less than ten years' experience, and who shall serve for a term of five years or until his successor is appointed, as are the members of the State board of health, and who shall be the executive officer and commissioner of public health, as hereinafter provided, and five members of the State board of health, of which not more than three shall belong to the same political party nor

more than two be of the same school of medical practice, which shall be constituted as follows:

That the State board of health shall consist of one well-qualified civil and sanitary engineer, who shall devote as much of his time to the service of the State as may be needed or required, and when so engaged, shall have all his necessary traveling and incidental expenses paid by the State, and shall have his salary fixed by the board of appointment, not to exceed \$8 per day nor \$2,500 per annum, and four physicians each of whom shall be a graduate of a reputable school of medicine, each to serve for a term of five years, unless sooner removed by said board of appointment for good cause, same to apply to the secretary, and until his successor is appointed: *Provided*, that the term of the office of the five members first appointed shall be for one, two, three, four, and five years, respectively, their terms to be designated by the board of appointment, and to be so arranged that the term of one such member shall expire on the 30th day of June of each year. Any vacancies that may occur shall be filled by appointment by the board of appointment and at the expiration of the term of each member, his successor shall be appointed for a full term of five years. No member of the State board of health shall be an officer or a member of the faculty of any medical school, and the board of appointment shall have the power to remove any member or the secretary of said board of health for good cause.

That the board of health shall meet semiannually in July and January of each year, and at such other times as it may be deemed necessary by the secretary, or on the written request of two or more members of the board of health, such meeting to be held at the seat of government; suitable rooms, furniture, office supplies, postage, stationery, and printing therefor to be provided by the executive council in the same manner as for other departments of the State.

That at the meeting held in July, a president shall be elected from the board of health for one year, and the board of appointment shall in July, 1913, name and appoint a secretary, as herein provided, not a member of the board of health, who shall serve for a term of five years or until his successor is appointed, unless sooner removed by the board of appointment for good cause. Said secretary shall have charge of the office of the State board of health.

That when the board of health is not in session, the secretary shall be the executive officer thereof and commissioner of public health, and shall have full power and authority to execute and enforce all of the laws, rules, and regulations of the board of health, pertaining to the health and life of the citizens of the State; to quarantine, to marriages, births and deaths, to sanitary investigations, and to all other matters subject to regulations and control by the board of health, the board of medical examiners, and all of the various other departments that are now or may hereafter be provided by law, or by the rules and regulations of such boards or commissions as are authorized to make and adopt rules with reference thereto.

That the compensation of the members of the State board of health, except the civil and sanitary engineer which is otherwise provided for in this section, not only as such members, but as members of the State board of medical examiners, and for any and all other services which they may render, either in their individual capacity, or in connection with any other boards or commissions, by virtue of their membership, either upon the board of health, board of medical (examiners), embalmers, nurses, or optometry examiners, shall be \$900 per annum, to be paid as are the salaries of other State officers, which shall be in lieu of all per diem and expenses, except transportation expenses.

That all other laws pertaining to compensation or expenses of the physician members of the State board of health and State board of medical examiners as such members, or in connection with any of the other departments, boards, or commissions, connected with the office of the State board of health, and all laws in conflict with any of the provisions of this act are hereby amended to conform to its provisions.

That the terms of the present members of the State board of health and the secretary thereof as such, and in connection with all other departments connected with the office of said State board of health, shall terminate upon the taking effect of this act.

SEC. 2. *Appropriation—Expenses—Under supervision executive council.*—That all appropriations or provisions hereafter to be made or which have been made for the State board of health for public health purposes, of whatever nature or character, shall be expended under the immediate supervision and direction of the executive council of the State, composed of the governor, secretary of state, auditor of state, and treasurer of state, all of whom shall be members ex officio, to serve without compensation, of the State board of health, and no bill for contingent or miscellaneous expenses, or expenses of any kind, of said State board of health shall be allowed or paid unless it is properly itemized, verified and certified to, and audited by the executive council of the State.

SEC. 3. *Acts in conflict repealed.*—That all laws and parts of laws in conflict with any of the provisions of this act are hereby repealed.

State Board of Health—To Improve Sanitary Conditions When Complaint is Made.
(Chap. 208, Act Apr. 19, 1913.)

SECTION 1. *Petition—Complaint—Enforcement.*—In any case where five or more citizens in any locality in this State present a petition to the State board of health, signed by such citizens, setting forth complaint regarding sanitary conditions in their locality, it is hereby made the duty of the State board of health to use all means at its command to make special effort to improve the sanitation and health conditions and precautions in such localities of this State. If the local board of health should fail to carry out the directions of the State board of health, the State board of health may employ the necessary assistants to carry out the provisions of this act.

The sum of \$2,000 or so much thereof as may be necessary was appropriated for the purpose of carrying out the provisions of the above act. (Chap. 332, act Apr. 19, 1913.)

Railway Stations—Closets or Privies Required. (Act Apr. 10, 1913.)

SECTION 1. That at all railway stations in this State, where a depot and waiting rooms for passengers are maintained, there shall be within the same or connected therewith sanitary closets, including separate closets for women, which in cities or towns having a system of sewerage, so located that the same can be reasonably used by the railroad property, shall be thoroughly drained, constructed, and plumbed according to approved sanitary principles and said depots and closets shall be kept in a clean and sanitary condition, free from any offensive odors. Depots in cities or towns not provided with a sewerage system shall be provided with privies or closets properly screened and separated for the use of males and females, which shall be cleaned and disinfected as often as necessary to keep and maintain them in an approved sanitary condition.

SEC. 2. It shall be the duty of the hotel inspector and his deputies to see that the provisions of the act are fully complied with and on complaint being filed by an employee or patron of the railway company shall by himself or deputy personally inspect the same.

SEC. 3. It shall be the duty of the inspector upon ascertaining, by inspection or otherwise, that any railroad company has not complied with the provisions of this act at any of its depots, to notify the station agent of such depot, in writing, stating in what respect it is delinquent and requiring it in a reasonable time, to be fixed by the inspector, to do or cause to be done the things necessary to make it comply with the law.

Sec. 4. Any railroad company, which after receiving said notice fails to comply, within the time fixed, with the provisions of this act, shall be guilty of a misdemeanor and upon conviction shall be fined not exceeding \$100 for each offense and the inspector shall file information in such a case.

Sec. 5. Such railroad companies shall pay a fee of \$5 to the person making the inspection. If there is no cause of complaint, the person complaining shall be liable for such fee. All fees shall forthwith be paid over to the State treasurer to be kept in the hotel inspection fund.

Sec. 6. The inspector shall be allowed his necessary expenses while engaged in the actual work of inspection, to be audited and paid out of the hotel inspection fund as provided in section 13 thereof.

KANSAS.

Morbidity Reports. (Reg. Bd. of H., Dec. 13, 1913.)

Be it resolved, By the State board of health of Kansas, that the following be and is hereby adopted as a part of the rules and regulations of said board:

SECTION 1. The following-named diseases and disabilities are hereby made notifiable, and the occurrence of cases shall be reported as herein provided.

GROUP I.—INFECTIOUS DISEASES.

Actinomycosis.

Anthrax.

Chicken-pox.

Cholera, Asiatic (also cholera nostras when Asiatic cholera is present or its importation threatened).

Dengue.

Diphtheria.

Dysentery:

(a) Amebic.

(b) Bacillary.

Favus.

German measles.

Glanders.

Hookworm disease.

Leprosy.

Malaria.

Measles.

Meningitis:

(a) Epidemic cerebrospinal.

(b) Tuberculous.

Mumps.

Ophthalmia neonatorum (conjunctivitis of newborn infants).

Paragonimiasis.

Paratyphoid fever.

Plague.

Pneumonia (acute lobar).

Poliomyelitis (acute infectious).

Rabies.

Rocky mountain spotted or tick fever.

Scarlet fever.

Septic sore throat.

Smallpox.

Tetanus.

Trachoma.

Trichinosis.

Tuberculosis (all forms; the organ or part affected in each case to be specified).

Typhoid fever.

Typhus fever.

Whooping cough.

Yellow fever.

GROUP II.—OCCUPATIONAL DISEASES AND INJURIES.

Arsenic poisoning.
Brass poisoning.
Carbon-monoxide poisoning.
Lead poisoning.
Mercury poisoning.
Natural-gas poisoning.
Phosphorus poisoning.
Wood-alcohol poisoning.
Naphtha poisoning.
Bisulphide of carbon poisoning.
Dinitrobenzine poisoning.
Caisson disease (compressed-air illness).

Any other disease or disability contracted as a result of the nature of the person's employment.

GROUP III.—VENEREAL DISEASES.

Gonococcus infection.
Syphilis.

GROUP IV.—DISEASES OF UNKNOWN ORIGIN.

Pellagra.
Cancer.

SEC. 2. Hereafter each and every physician practicing in the State of Kansas who treats or examines any person suffering from or afflicted with, or suspected to be suffering from or afflicted with, any one of the notifiable diseases shall immediately report such case of notifiable disease in writing to the local health authority having jurisdiction. Said report shall be forwarded either by mail or by special messenger and shall give the following information:

1. The date when the report is made.
2. The name of the disease or suspected disease.
3. The name, age, sex, color, nativity, occupation, address, and school attended or place of employment of patient.
4. Number of adults and of children in the household.
5. Source or probable source of infection or the origin or probable origin of the disease.
6. Name and address of the reporting physician.

Provided, That if the disease is, or is suspected to be, smallpox, the report shall, in addition, show whether the disease is of the mild or virulent type and whether the patient has ever been successfully vaccinated, and if the patient has been successfully vaccinated, the number of times and dates or approximate dates of such vaccination; and if the disease is, or is suspected to be, cholera, diphtheria, plague, scarlet fever, smallpox, or yellow fever, the physician shall, in addition to the written report, give immediate notice of the case to the local health authority in the most expeditious manner available; and if the disease is, or is suspected to be, typhoid fever, scarlet fever, diphtheria, or septic sore throat, the report shall also show whether the patient has been, or any member of the household in which the patient resides is, engaged or employed in the handling of milk for sale or preliminary to sale: *And provided further*, That in the reports of cases of the venereal diseases the name and address of the patient need not be given, and that all such reports of venereal disease shall be made direct to the State board of health on special blank.

SEC. 3. The requirements of the preceding section shall be applicable to physicians attending patients ill with any of the notifiable diseases in hospitals, asylums, or other institutions, public or private, provided that the superintendent or other person in charge of any such hospital, asylum, or other institution in which the sick are

cared for, may, with the written consent of the local health officer (or board of health) having jurisdiction, report in the place of the attending physician or physicians the cases of notifiable diseases and disabilities occurring in or admitted to said hospital, asylum, or other institution in the same manner as that prescribed for physicians.

SEC. 4. Whenever a person is known or is suspected to be afflicted with a notifiable disease, or whenever the eyes of an infant under two weeks of age become reddened, inflamed or swollen, or contain an unnatural discharge, and no physician is in attendance, an immediate report of the existence of the case shall be made to the local health officer by the midwife, nurse, attendant, householder, or other person in charge of the patient.

SEC. 5. Teachers or other persons employed in, or in charge of, public or private schools, including Sunday schools, should report immediately to the local health officer each and every known or suspected case of a notifiable disease in persons attending or employed in their respective schools.

SEC. 6. The written reports of cases of the notifiable diseases required by this act of physicians shall be made upon blanks supplied for the purpose, through the local health authorities, by the State board of health. These blanks shall conform to that adopted and approved by the State and Territorial health authorities in conference with the United States Public Health Service.

SEC. 7. Local health officers or boards of health shall within seven days after the receipt by them of reports of cases of the notifiable diseases forward by mail to the State board of health the original written reports made by physicians, after first having transcribed the information given in the respective reports in a book or other form of record for the permanent files of the local health officer. On each report thus forwarded the local health officer shall state whether the case to which the report pertains was visited or otherwise investigated by a representative of the local health officer and whether measures were taken to prevent the spread of the disease or the occurrence of additional cases.

SEC. 8. Local health officers or boards of health shall, in addition to the provisions of section 7, make such other reports as may be provided for by regulations promulgated by the State board of health.

SEC. 9. Whenever there occurs within the jurisdiction of a local health officer or board of health an epidemic of a notifiable disease, the local health officer or board of health shall, within 30 days after the epidemic shall have subsided, make a report to the State board of health of the number of cases occurring in the epidemic, and the number of cases terminating fatally, the origin of the epidemic, and the means by which the disease was spread; provided, that whenever the State board of health has taken charge of the control and suppression or undertaken the investigation of the epidemic, the local health authority having jurisdiction need not make the report otherwise required.

Communicable Diseases—Notification of Cases—Placarding—Quarantine. (Reg. Bd. of H., Dec. 11, 1913.)

Resolved, That after January 1, 1914, all cases of pertussis or whooping cough, varicella or chicken pox, and epidemic parotitis or mumps, be included in the list of diseases required to be reported by the attending physician.

Be it further resolved, That in the belief that in all cases of communicable disease the public is entitled to such notice of same that individuals may be enabled to avoid exposure to infection, all premises, on or in which cases of typhoid fever, infantile paralysis or mumps occur, shall be placarded as are other diseases mentioned in the quarantine law. Any person afflicted with any of these diseases is prohibited from attending school, or other places of public assemblage.

Be it still further declared, That three weeks or 21 days shall be held to constitute the minimum limit of quarantine in cases of infantile paralysis, or such longer period as may in the judgment of the health officer be deemed necessary.

State Board of Health—Certain Employees Authorized. (Act Mar. 17, 1913.)

Sec. 9. That section 9021 of the General Statutes of Kansas of 1909 be amended to read as follows:

"Sec. 9021. That the State board of health is hereby authorized to appoint a clerk who shall be a stenographer, who shall receive an annual salary of \$900; a stenographer who shall receive an annual salary of \$900; and a bacteriologist who shall receive an annual salary of \$1,200."

Sec. 10. That section 3085 of the General Statutes of Kansas of 1909 be amended to read as follows:

"Sec. 3085. The State board of health shall appoint three food inspectors and two drug inspectors who shall serve during the pleasure of the board, and shall each receive a salary of not more than \$100 per month for the first year of service, \$110 per month for the second year of service, and \$125 per month thereafter. The secretary of the State board of health shall appoint, upon recommendation of the State board of health, an assistant chief food and drug inspector, who shall receive a salary of \$150 per month, and who shall serve during the pleasure of the chief food and drug inspector. They shall be allowed the actual necessary expenses incurred in the performance of their duties, which shall be such as are prescribed by the rules of the State board of health, as hereinbefore provided. The appointment of the inspectors herein provided shall be based upon a competitive examination of applicants upon the position of inspector, which examination shall be conducted by the chief food and drug inspector, and the food and drug analysts of the State board of health. The secretary of the State board of health, as executive officer of the board, shall direct the actions of the food and drug inspectors as such, and by reason of this office shall be chief food and drug inspector. He shall receive a salary of \$2,500 per annum and such necessary expenses as are incurred in the performance of his duties as secretary of the State board of health and chief food and drug inspector."

Appropriation—State Board of Health. (Act Mar. 17, 1913.)

(These appropriations are for fiscal years ending June 30, 1914 and 1915.)

	1914	1915
Secretary (provided he receives no other salary from the State).....	\$2,500	\$2,500
Assistant chief food and drug inspector.....	1,800	1,800
Two clerks and stenographers, at \$900 each.....	1,800	1,800
Sanitary fund for carrying out the provisions of chapter 382, Laws of 1907, and for investigation into stream pollution and industrial wastes.....	2,000	2,000
Miscellaneous and incidental expenses, including the expenses of the chief food and drug inspector to the annual conference of the Association of State and National Food and Drug Officials, as authorized in section 12, of chapter 266, Laws of 1907, and the expenses of a representative of the State board of health to the annual meeting of the State and Territorial boards of health and the conference of the Surgeon General of the Public Health Service with the State health officers, as authorized by an act of Congress July 1, 1902, and for other trips outside the State upon the order of the governor.....	1,500	1,500
For the purpose of the free distribution of antitoxins, serums, and vaccines to the indigent poor of the State.....	1,500	1,500
For original research and investigation into and for the suppression of communicable and industrial and occupational diseases.....	4,500	4,500
For the purpose of carrying out the provisions of chapter 296, Laws of 1911, known as the vital statistics law; provided, that this appropriation shall not become available in the event of house bill No. 732 being enacted into law.....	2,500	2,500
Five food and drug inspectors, but in no wise shall the amount paid to any inspector exceed the scale provided in section 4, chapter 184, Laws of 1909.....	7,500	7,500
Traveling expenses of inspectors.....	5,000	5,000
Bacteriologist.....	1,200	1,200
Maintenance of laboratory of hygiene.....	500	500
Expenses of members of the board, postage, and incidentals.....	750	750
	33,050	33,050

Vasectomy and Oophorectomy—When Authorized. (Act Mar. 14, 1913.)

SECTION 1. That it shall be the duty of the managing officers of all public institutions of this State intrusted with the care or custody of habitual criminals, idiots, epileptics, imbeciles, and insane, and they are hereby authorized and directed to obtain the advice and professional services of competent surgical assistants, who, jointly with the physician or surgeon in charge of the institution in which any of such inmates shall be, shall constitute the authority whose duty it shall be to examine such inmate or inmates of the several institutions as are deemed to be improper and inadvisable to allow to procreate. Such authority shall examine the physical and mental condition of such inmate or inmates, the history thereof so far as can be ascertained, and if, in the judgment of such authority, procreation by any such inmate or inmates would produce children with an inherited tendency to crime, insanity, feeble-mindedness, epilepsy, idiocy, or imbecility, and there is no probability that the condition of any such inmate or inmates as examined will improve to such an extent as to render procreation by any such inmate or inmates advisable, or if the physical or mental condition of any such persons will be materially improved thereby, then said authority shall report their conclusions with a recommendation to the district court or any court of competent jurisdiction in and for the district from which such inmate or inmates has been committed to such institution or institutions. The court shall thereupon hear and determine the matter, and if satisfied that the purposes of this act will be executed by such order shall adjudge that such operation shall be performed, and shall appoint one of the authority signing such report to perform the operation of vasectomy or oophorectomy, as the case may be, upon such person. The county attorney of the county in which the hearing is had may be directed by the court to represent the State in the proceedings. Such operation shall be performed in a safe and humane manner, and the surgeon performing the operation shall receive from the State such compensation for the service rendered as the board of administration shall deem reasonable.

SEC. 2. Except as authorized by this act, every person who shall perform, encourage, assist in, or otherwise promote the performance of either of the operations described in section 1 of this act, for the purpose of destroying the power to procreate the human species, or any person who shall knowingly permit either of such operations to be performed upon such persons, unless the same shall be a medical necessity, shall be fined not more than \$1,000, or imprisonment in the county jail not exceeding 1 year, or both.

SEC. 3. Any managing officers herein charged with any duty specified in section 1 who shall fail, neglect, or refuse for 60 days or more in the performance thereof shall be guilty of a misdemeanor and subject to a fine of not more than \$100 or imprisonment in the county jail for not more than 30 days, or both such fine and imprisonment.

Hotels, Restaurants, and Lodging Houses—License Required—Sanitary Regulation of. (Chap. 204, Act Mar 13, 1913.)

SECTION 1. There is hereby created a hotel commission in the State of Kansas. The usual facilities for transacting its business shall be furnished the same as for other departments of the State government.

SEC. 2. The governor shall appoint the hotel commissioner, who shall furnish a bond of \$2,000, to be approved by the secretary of state. Said hotel commissioner shall receive a salary of \$2,000 per annum and traveling expenses. He shall keep accurate account of all of the expenses of the said hotel commission and shall file monthly itemized statements of such expense with the auditor of state, together with an account of all fees collected from applications for hotel, rooming house, apartment house, and restaurant licenses. He shall hold office at the pleasure of the governor and shall aid in the discharge of all of the duties which shall devolve upon the hotel commission. He is hereby authorized and required to make such blank forms, rules, and regulations as are necessary to carry out the provisions of this act in accordance

with its true intent, and is to assist in the enforcement of any orders promulgated by the State board of health of this State relating to hotels and restaurants.

(Secs. 3-8 define the terms "hotel," "rooming house," "apartment house," and "restaurant." Licenses are required for conducting business, and "said license may be canceled by the commissioner at any time when the law or regulations are not being complied with." The license fee is \$2, except that in "hotels that contain 20 sleeping rooms the license fee shall be \$3, and for every additional 10 rooms therein an additional fee of \$1 shall be charged.")

SEC. 9. In every hotel or restaurant the kitchen, dining room, cellar, office, ice boxes, refrigerators, and all places where foods are prepared, kept, or stored, shall be kept clean and in a sanitary condition. The toilets and outclosets shall at all times be kept in a clean and sanitary condition in hotels, restaurants, rooming houses, or apartment houses.

SEC. 10. It is hereby made the duty of the hotel commissioner to inspect, or cause to be inspected, at least once annually, every hotel, rooming house, apartment house, and restaurant in the State, and for that purpose he shall have the right of entry and access thereto at any reasonable time. Whenever upon such inspection it shall be found that such business and property so inspected is not being conducted or is not equipped in the manner and condition required by the provisions of this act, it shall thereupon be the duty of the hotel commissioner to notify the owner, proprietor, or agent in charge of such business, or the owner or agent of the building so occupied, of such changes or alterations as may be necessary to effect a complete compliance with the provisions of this act. It shall therefore be the duty of such owner, proprietor, or agent in charge of such business to make such alterations or changes as may be necessary to put such building and premises in a condition that will fully comply with the requirements of this act: *Provided, however*, That 30 days' time after receipt of such notice shall be allowed for conforming to the requirements of sections 20, 21, 22, and 23 of this act, and 60 days' time for the conforming to the requirements of sections 12, 13, 14, 15, 16, 17, 18, and 19.

SEC. 11. Every person, firm, or corporation who shall fail or refuse to comply with the provisions of this act shall be deemed guilty of a misdemeanor and shall be subject to a fine of \$5 for each and every day he shall fail or refuse to so comply. If for 30 days after any final conviction, or any such violation, he or they still fail or refuse to comply with said sections mentioned in such notice, the building and premises involved may be closed for use as such hotel, rooming house, apartment house, or restaurant until all of the provisions of this act shall have been complied with, upon 5 days' notice thereof from the hotel commissioner.

SEC. 12. Every hotel, rooming house, apartment house, and restaurant in this State shall be properly plumbed, lighted, and ventilated, and shall be conducted in every department with strict regard to health, comfort, and safety of the guests: *Provided*, That such proper lighting shall be construed to apply to both daylight and illumination, and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles, and that such proper ventilation shall be construed to mean at least one door and one window in each sleeping room, also a transom as wide as the door leading into the hallway. No room shall be used for a sleeping room which does not open to the outside of the building or courts, and all sleeping rooms shall have at least one window and one door with a transom. In each sleeping room there must be at least one window with opening so arranged as to provide easy access to the outside of building or courts.

SEC. 13. In all cities, towns, and villages where a system of waterworks and sewerage is maintained for public use every hotel, rooming house, apartment house, and restaurant therein operated shall, within six months after the passage of this act, be equipped with suitable water-closets for the accommodation of its guests, which water closet or closets shall be ventilated and connected by proper plumbing with such sewerage system, and have means of flushing such water closet or closets with the water

of said system in such manner as to prevent sewer gas or effluvia from arising therefrom. All lavatories, bathtubs, sinks, drains, closets, and urinals in such hotels, rooming houses, apartment houses, or restaurants must be connected and equipped in a similar manner both as to methods and time.

Sec. 14. In all cities, towns, and villages not having a system of waterworks every hotel, rooming house, apartment house, or restaurant shall have properly constructed privies or overvaults to receive the night soil, the same to be kept clean and well ventilated at all times, and free from foul odors, and shall be kept in a clean and sanitary condition. Separate apartments shall be furnished for sexes, each being properly designated.

Sec. 15. Each hotel or restaurant in this State shall be provided with a main public wash room, convenient and of easy access to guests.

(Secs. 16-20 relate to standpipes, fire escapes, construction of buildings, and fire extinguishers.)

Sec. 21. All hotels and restaurants in this State shall hereafter, in the main public washroom, in view and reach of guests, during the regular meal hours, and where no regular meal hours are maintained, then between the hours of 6.30 a. m. and 9 a. m., and 11.30 a. m. and 2 p. m., and 6 p. m. and 8 p. m., and in each bedroom furnish each guest with clean individual towels so that no two or more guests will be required to use the same towel unless it has been first washed. Such individual towels shall be not less than 10 inches wide and 15 inches long, after being washed.

Sec. 22. All hotels and rooming houses hereafter shall provide each bed, bunk, cot or other sleeping place for the use of guests, with pillow slips and under and top sheets. Each sheet shall be made 99 inches long and of sufficient width to completely cover the mattress and springs; provided, that a sheet shall not be used which measures less than 90 inches after being laundered. Said sheets and pillow slips shall be made of white cotton or linen, and all such sheets and pillow slips, after being used by one guest, must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest.

Sec. 23. All beddings, including mattresses, quilts, blankets, pillows, sheets, and comforts used in any hotel or rooming house in this State, must be thoroughly aired, disinfected and kept clean: *Provided*, That no bedding, including mattresses, quilts, blankets, pillows, sheets, or comforts, shall be used which is worn out, or is unfit for further use: *Provided, further* That after six months from the passage of this act no mattress on any bed in a hotel or rooming house shall be used which is made of moss, seagrass, excelsior, husks, or shoddy. Any room in any hotel, rooming house, or restaurant, infested with vermin or bedbugs, shall be fumigated, disinfected, and renovated until such vermin or bedbugs are exterminated. All carpets and equipment used in offices and sleeping rooms, including walls and ceilings, must be well plastered and be kept in a clean and sanitary condition at all times.

Sec. 24. The hotel commissioner is hereby empowered to appoint and employ such office help and traveling inspectors as are necessary to carry out the terms of this act. Such inspectors shall be under the control and direction of the hotel commissioner, and shall receive such compensation as shall be fixed by the hotel commissioner, not to exceed \$1,200 per annum, payable monthly, together with all necessary traveling expenses.

Sec. 25. All notices to be served by the hotel commissioner, provided for in this act, shall be in writing and shall be either delivered personally, or by registered letter, to the owner, agent, lessee, or manager of such building and premises, or the owner, agent, lessee, or manager of such hotel, rooming house, apartment house, or restaurant. Any person, firm, or corporation operating a hotel, rooming house, apartment house, or restaurant in this State, or leasing a building used for such business, without having first complied with the provisions of this act and having a license granted by the commissioner, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined in the sum of \$5 for each and every day of such noncompliance with this act, together with the costs of suit.

SEC. 26. The county attorney of each county in this State is hereby authorized and required upon complaint on oath of the hotel commissioner or other person, to prosecute to termination before any court of competent jurisdiction in the name of the State of Kansas, a proper action or proceeding against any person or persons, violating the provisions of this act.

SEC. 27. All fees collected under the provisions of this act shall be appropriated for the fiscal years ending June 30, 1914, and June 30, 1915, for the purpose of paying the salary and actual traveling expenses of the hotel commissioner provided for under this act.

Barbers and Barber Shops—License Required—Examinations. (Chap. 292, Act Mar. 17, 1913.)

SECTION 1. It shall be unlawful for any person to follow the occupation of a barber in this State unless he shall have first obtained a certificate of registration, as provided in this act: *Provided, however,* That nothing in this act contained shall apply to or affect any person who is now actually engaged in such occupation, except as herein-after provided.

SEC. 2. A board of examiners, to consist of three members who are now and have been citizens of this State for at least three years next preceding the date of their appointment, is hereby created to carry out the purposes and to enforce the provisions of this act. Such board shall be appointed by the governor: *Provided,* That all barbers shall have had at least five years' practical experience as a barber prior to his appointment. Each member, before being so appointed, shall appear before the State board of health, whose duty it shall be to determine whether or not such proposed member possesses sufficient knowledge of contagious and infectious diseases to enable such member to pass judiciously upon the qualifications of others in the occupation of barber. If such board of health shall reject such proposed appointee, then the governor shall select another in his stead as before. If the appointment be approved by the board, said board shall issue a certificate to that effect, and all appointments made under the provisions of this act shall date from the approval thereof as aforesaid by said board. Each member of said board shall serve for a term of three years and until his successor is appointed and qualified, except in the case of the first board, whose members shall serve one, two, and three years, respectively, as specified in their appointment. Said board shall, with the approval of the State board of health, prescribe such sanitary rules as it may deem necessary to prevent spreading of infectious or contagious diseases. A copy of such rules shall be furnished each person to whom a certificate of registration is granted. Each member of said board shall, before entering upon the discharge of his duties, give a bond in the sum of \$2,000, with a surety or sureties, to be approved by the secretary of state, conditioned for the faithful performance of his duties, and shall take the oath provided by law for public officers. Vacancies upon said board, caused by death, resignation, or other cause, shall be filled by appointment in the same manner as provided herein for regular appointments.

(Secs. 3-5 provide for the organization of the board, compensation to the members at \$5 per day, with actual traveling expenses, and quarterly reports to the governor.)

SEC. 6. Such board shall hold public examinations at least four times in each year at such times and places as it may deem advisable, notice of such meetings to be given by publication thereof in at least 2 newspapers published in this State at least 10 days prior to such meetings.

SEC. 7. Every person now engaged in the occupation of barber in this State shall, within 90 days after approval of this act, file with the secretary of said board an affidavit setting forth his name, residence, and the length of time and the place where he has practiced such occupation, and shall pay to the treasurer of said board \$1; thereupon a certificate of registration entitling him to pursue such avocation dur-

ing the calendar year ending December 31, and each such barber, 30 days prior to the expiration of their respective certificate, shall make application for the renewal of the same, stating the number of expiring certificate, and shall in each case pay to the treasurer of said board the sum of \$1 therefor. For any and every license or certificate given or issued by the board a fee of \$1 shall be paid by the person receiving the same.

SEC. 8. Any person not following the occupation of a barber at the time of the taking effect of this act, desiring to pursue such occupation in this State shall make application to said board therefor, and shall pay to the treasurer of said board an examination fee of \$5, and shall present himself at the then next regular meeting of the board for the examination; whereon said board shall proceed to examine such person and, being satisfied that he is above the age of 19 years, of good moral character, free from contagious or infectious diseases, has either studied the trade for one year as an apprentice under a qualified and practicing barber, or studied the trade for at least one year in a recognized barber school or college under instructions of a qualified barber, or practiced the trade in another State for at least one year, and is possessed of the requisite skill in such trade to properly perform all of the duties thereof, including his ability in shaving, hair cutting, preparation of tools, and all duties and services incident thereto, and is possessed of sufficient knowledge concerning the common diseases of the face and skin, to avoid the aggravation and spreading thereof, shall enter his name in the register hereinafter provided for, and shall issue to him a certificate of registration, authorizing him to practice said trade in this State: *Provided*, That whenever it appears that applicant has acquired his knowledge of said trade in a barber school or college the board shall be judges of whether said barber school or college is properly appointed and conducted to give sufficient training in such trade. All persons making such application for examination under the provisions of this act shall be allowed to practice the occupation of barbering until the meeting for the next regular examination by the said board, and no longer, and the secretary shall give him a permit to do so: *Provided, however*, That such time may be extended by the board for good cause shown.

SEC. 9. Nothing in this act shall prohibit any person from serving as an apprentice in such trade under license issued by the board under a barber authorized to practice, nor from attending as a student in any school or college teaching such trade.

SEC. 10. Said board shall furnish to each person to whom a certificate of registration is issued a card or certificate, in such form as it shall adopt, bearing the seal of the board and the signature of its president and secretary, certifying that the holder thereof is entitled to practice the occupation of barber in this State, and it shall be the duty of the holder of such card or insignia to post the same in a conspicuous place in front of his working chair where it may be readily seen by all persons whom he may serve. Said board shall keep a register, in which shall be entered the names of all persons to whom certificates are issued and to whom permits for serving apprenticeship or as students under the provisions of this act, and said register shall at all times be open to public inspection. Said board shall have power to revoke any certificate of registration granted by it under this act for habitual drunkenness, gross incompetency, failure or refusal to properly provide or guard against infectious or contagious disease, or the spreading thereof, in the practice of the occupation aforesaid, violation of the rules of the board, or for any extortion or overcharge practiced: *Provided*, That before any certificate or permit shall be revoked the holder thereof shall have notice in writing of the charge or charges against him, and shall, at a day specified in said notice, at least five days after the service thereof, be given a public hearing on said charge by said board, and full opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person, firm, or corporation whose certificate or permit has been revoked may, after the expiration of 90 days, apply to have the same reissued, upon a satisfactory showing that the disqualification has ceased.

SEC. 11. Any person practicing the occupation of barber without having obtained a certificate of registration as provided in this act, or knowingly employing a person to serve as barber, who has not such certificate, or failing to keep the certificate, card, or permit mentioned in this act properly displayed, or failing to comply with such sanitary rules as the board, in conjunction with the State board of health prescribes, or for the violation of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof they shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail not less than 10 days nor more than 90 days, or both such fine and imprisonment.

Nuisances—Depositing of Dirt, Filth, Rubbish, Etc., Prohibited. (Act Mar. 11, 1913.)

SECTION 1. It shall be unlawful for any person to throw, place, deposit, or leave, or cause to be thrown, placed, deposited, or left, in any of the public streets, highways, alleys, parks, or thoroughfares of any city of the first class, any dirt, filth, sewerage, sweepings, dung, excrement, compost, papers, stable manure, boxes, ashes, lumber, coal, wood, kindling, grass, weeds, vegetables, slops, or litter of any kind, from and after the taking effect of this act, except as provided in section 2 of this act.

SEC. 2. That the space in the rear of any business lot, house, or mercantile establishment, between the rear of the building and the alley line, if any such vacant space there be, shall at all times be kept clean and clear of all the matter set out in section 1 of this act, and the occupant or occupants of the ground floor of any such business house or mercantile establishment, as set forth hereinbefore, shall be, and is, and are hereby charged with the duty of keeping the said space clean.

SEC. 3. That the owner of the ground floor or the occupant thereof, if the same be not occupied by the owner of said ground floor or dwelling house, shall be charged with the duty of keeping the alley in the rear of such ground floor or dwelling house clean and free from the matter in section 1 of this act.

SEC. 4. That in the month of April in each year, the owners, or if not occupied by the owners, the occupant or occupants of any real property in cities of the first class shall cause the said premises to be cleaned up of all of the matter set out in section 1 of this act and the same shall be removed out of the city, or burned, or buried.

SEC. 5. That the district court of the county in which such city is situated, or the city court or the county court in any such city, shall have original and concurrent jurisdiction to enforce this act.

SEC. 6. The adoption by any city of the first class of the provisions of this act, as an ordinance, or any ordinance passed by such city, relative to cleanliness, shall not, in any wise, limit the jurisdiction of the courts set forth herein.

SEC. 7. That within six months from the date of the taking effect of this act, every householder shall provide a receptacle, made either of iron, steel, stone, brick, or cement, in which to place and deposit the matter set forth in section 1 hereof and cause all such matter mentioned in section 1 hereof to be placed in said receptacle, and the contents thereof, when the same shall have been filled, shall be carried beyond the limits of the city, or burned, or buried.

SEC. 8. The word "person" in this act shall be construed and interpreted to mean the owners or occupants of property, agents, servants, officers, and managers of co-partnerships or corporations.

SEC. 9. That any person who violates this ordinance shall, upon conviction, be fined in a sum not to exceed \$100 or imprisonment in the county jail not to exceed 30 days, or by both such fine and imprisonment, as the court may adjudge.

SEC. 10. That nothing in this act shall prevent any person who may be improving his property from encumbering the streets, avenues, or alleys under a permit from the proper officers of the city, but in the event of such encumbering of the streets with building material or earth, necessary for the improvements being made, the contractor shall clean up said premises thoroughly within 10 days from the completion of the work.

LOUISIANA.

Morbidity Reports—Venereal Diseases. (Reg. Bd. of H., Nov. 25, 1913.)

The sanitary code was amended by adding to section 12, paragraph (a), the following-named diseases: Gonorrhea, syphilis, and chancroid. This paragraph names diseases which are declared by the State board of health to be communicable and dangerous to the public health. These diseases are notifiable.

Rats—Protection Against, at Ports. (Reg. Bd. of H., Feb. 25, 1913.)

Sanitary code amended by inserting after the article 11, as it at present reads, and as separate sentences, or paragraphs, following the last words of said article 11 as it now reads, to wit:

(a) No vessel shall come into any port in this State to land or to dock unless the said vessel shall be fended away from such landing, wharf, or dock for a distance of at least 4 feet, and every hawser, line, rope, or other means of staying said vessel to such wharf, port, or dock shall be provided with a rat shield or guard, properly attached to such line, hawser, or rope, which rat shield shall be of a pattern approved by the board of health of the State of Louisiana and shall be so designed and constructed and shall be so used as to effectually prevent the egress of rats and rodents from such vessels to such wharves, docks, or landings.

(b) No gangplank, staging, ladder, skids, or other device whatsoever whereby rats and rodents may find egress from a vessel to such wharf, dock, or landing shall be ever allowed to extend from any vessel in communication with such wharf, landing, or dock except only during such times as such vessel is actually engaged in discharging or receiving cargo and at the time of loading or discharging cargo only when the master, owner, or agent of said vessel shall have stationed at every gangplank, and within 5 feet of the same, a person whose duty it shall be to prevent rats and rodents from reaching such wharf, dock, or landing from said vessel.

(c) While not actually in use all such staging, gangplanks, and other devices and means of egress for rats and rodents from vessels to shore shall be so removed as to positively cut off all communication from such vessel to the dock, landing, or wharf.

(d) No freight so packed, or crated, as to allow the harboring of rats or rodents shall be removed from any vessel until the same shall have been examined and inspected by this board so as to insure the absence of rats and rodents from such freight.

(e) By "vessel" in the foregoing paragraphs is meant any boat engaged in traffic or the carrying of freight; by "wharf," "dock," and "landing" is embraced any place where a vessel may land her cargo, discharge or take on the same or receive or disembark passengers, whether the same be the natural shores of the seas, lakes, gulf, or other body of water, or the banks of a stream or river, or whether the same be an artificial structure erected for the convenience of commerce.

Board of Health—Regulations—To Apply to Rural Localities. (Reg. Bd. of H., Feb. 26, 1913.)

Sanitary code amended by adding section 398 (b):

SECTION 398 (b). All regulations regarding stables, the storing of manure, garbage, and refuse and the sanitation of places where animals are kept shall be equally applicable to rural localities, however isolated, as to neighborhoods, municipalities, towns, and cities.

Water Supplies. (Reg. Bd. of H., Aug. 20, 1913.)

The Sanitary Code was amended by adding the following to chapter 13, on page 102:

"Whenever any person or corporation furnishing water for potable purposes finds it necessary, for any reason whatever, to make any change, temporary or permanent, in the operation of their plant or in the manner of furnishing such water, which may in any way, either temporarily or permanently, tend to deteriorate the potable qualities of the water so furnished, by pumping directly into reservoirs or supply mains untreated water, when the ordinary supply is subjected usually to some form of purification treatment, or any other similar or dissimilar change in said supply, the tendency of which is to cause polluted waters to be forced into distributing pipes, the said person or corporation, before making such changes, or, in case of emergency, requiring the immediate making of changes in the operation of the plant, or in the manner of furnishing such water, within six hours of making such change, shall notify the local board of health, and shall also notify, by telegraph or telephone, the State board of health as to character and estimated duration of such change."

By amending paragraph 279 so as to read as follows: "It shall be unlawful for any person to use water from any canal, sewer, ditch, or other excavation in the ground, within the limits of any city, except such wells as have been approved by the State board of health, for the purpose of making bread or any other article intended for human consumption or subsistence, nor shall any person use the water so procured for the purpose of washing or cleansing implements or utensils used in the preparation, manufacture, or vending of any article or commodity intended for, or used as, human food or drink."

In paragraph 281, by inserting before the word "well" in the first line the word "shallow."

(The paragraph as amended reads as follows:)

"281. It is hereby made unlawful to excavate or sink a shallow well on any premises used as a bakery or bake shop."

In paragraph 282: By changing last clause to read "that nothing herein shall be construed as prohibiting the boring of deep or artesian wells."

(The paragraph as amended reads as follows:)

"282. Upon any such premises where a well now exists, it shall be the duty of the owner of the property to cause same to be immediately filled up to the surface of the ground: *Provided*, That nothing herein shall be construed as prohibiting the boring of deep or artesian wells."

By inserting in chapter 13 the following:

"It shall be the duty of the mayor of each city, and of the proper officers of all private corporations, partnerships, and of individuals who shall hereafter install a water works system, or shall make any changes in any existing system, to file with the State board of health a true and correct copy of the plans and specifications of the entire system to be installed or changed by such city, corporation, partnership, or individual, including plans and specifications of such filtration or other purification plant as may be operated by them in connection therewith, and also plans and specifications of all alterations, additions, or improvements to such systems which may be made from time to time.

"The words 'plans and specifications' as used here shall be construed to mean a true description or representation of the entire system and also a full and fair statement of how the same is to be operated, and in addition to all other things, shall show all the sources through or from which water is or may be at any time pumped or otherwise caused or permitted to enter such system. Such plans and specifications shall be certified by the mayor and the city engineer of city corporations, and by such proper officers and the engineer employed by a private corporation for private corporations, and by some individual member of a partnership, or by the individual

owner in case of a waterworks owned and operated by partnerships or individuals, including the engineer employed, if any."

On receipt of the plans and specifications by the State board of health they will be inspected with reference to their effect on the public health and if such board on inspection finds that the proposed water supply is impure and dangerous to individuals or to the public generally, or that the proposed purification system is inadequate to supply a safe water, the said board on its order may require the corporation, partnership or individual owning and operating the same to make such alterations in such waterworks systems as may be required or advisable in the opinion of said board, in order that the water supply may be healthful and free of pollution. Such recommendations or orders of the State board of health shall be served in writing on such corporations, partnerships, or individuals, and it shall thereupon be the duty of such corporations, partnerships, or individuals to comply with such recommendations or orders.

Sewerage Systems—Plans and Specifications Subject to Approval by Board of Health.
(Reg. Bd. of H., Aug. 20, 1913.)

The sanitary code was amended by inserting under regulations concerning drains and sewers, the following:

It shall be the duty of the mayor of each city, and of the proper officer of all private corporations, partnerships, and of individuals who shall hereafter install a sewerage system for any city or town in the State, or shall make any additions or changes in existing system, to file with the State board of health a true and correct description of such system. Such plans and specifications shall, upon their receipt by the State board of health be inspected with reference to their effect upon the public health, and if such board finds that such sewerage systems or any part thereof are dangerous to individuals or to the public health generally, the said board on its order may require such alterations as may be required or advisable.

Toilets and Urinals—Light and Ventilation. (Reg. Bd. of H., Aug. 20, 1913.)

The sanitary code was amended by adding to chapter 18, paragraph 413: "Toilets and urinals shall be in a space which is well lighted and well ventilated and which is separated from space used for any other purpose by walls extending from floor to ceiling. Doors to toilet rooms must fit tightly and be self-closing, except when doors open to outside of building or to open court."

Privies—Construction and Care of. (Reg. Bd. of H., Aug. 20, 1913.)

The Sanitary Code was amended by substituting for section 366 the following as section 366:

No privy or water-closet shall hereafter be maintained or built except such as are so constructed as to render them flyproof and easily cleaned. They shall be of wood, brick, or other material approved by the Louisiana State Board of Health, as follows:

(a) The floor shall be solid and water-tight, covering the entire base of the building inside the walls.

(b) The house shall be without cracks through which flies may enter. It shall be provided with a tight self-closing door, and shall be lighted and ventilated by one or more openings, said opening or openings to give space not less than 4 square feet; all openings, whether for ventilation or otherwise, which are not provided with doors, windows, or shutters, shall be screened with 18-mesh cross wire per inch. Doors shall be kept closed.

(c) The roof of each privy or earth closet shall be water-tight, and if sloped to the rear of the house it shall project not less than 6 inches beyond the rear wall of the house.

(d) The seat shall have a self-closing hinged cover over the box opening. That flies may be excluded, the compartment under the seat, in which stands the night-soil container, shall be tightly constructed of sound lumber without cracks or crevices. Any opening in this compartment for ventilation shall be screened with 18 mesh crossed per inch wire.

(e) The box, tub, or can soil container shall be strongly constructed. It shall rest on the floor of the privy in such a position that its top shall not be more than 1 inch below the under surface of the closet seat. Whenever such box, tub, or can container shall cease to be water-tight it shall be replaced by a sound one.

(f) There shall be at the back or side of each privy an opening for the removal of the night-soil container, which opening shall be provided with a tightly fitting let-down board, or 18-mesh cross wire per inch cover, hinged to the house and so constructed as to prevent the access of flies to the night soil. This cover shall be provided with a hook or button and shall always be kept closed. Where practicable, the opening shall abut on a public alley so as to be readily accessible to the city scavenger.

(g) No privy shall be built or maintained within 20 feet of the line of any street or any house, or within 50 (preferably 100) feet of any well, or within 3 feet of the party line of the adjacent lot or lots, except in the rear or side of lots where they abut on the public alley.

(h) Whenever, in the opinion of the State board of health, the condition of any privy is such that it can not be put in sanitary condition the State board of health shall order a new privy constructed in conformity with the foregoing regulations.

(i) All privies shall be kept clean at all times. The excrement shall be removed at least once each week, seat scoured, and building thoroughly cleaned so as to prevent objectionable odors. The door of the house must not be left open.

(j) No wash water, garbage, kitchen slops, or other liquid waste shall be emptied into the privy. No night soil from any person suffering from typhoid fever or other serious bowel trouble shall be emptied into any privy without being previously disinfected in such manner as directed or approved by the State board of health.

(k) Every hotel, restaurant, residence, sleeping apartment, factory, mill, store, workshop, mercantile establishment, theater, picture show, or other places where people are employed, live, or congregate shall be provided with one or more privies, one seat for every 25 or fraction thereof, with separate apartments for the sex and color, and they shall be provided with proper wash and dressing rooms with an abundance of water, soap, and individual towels, and kept at all times in a cleanly state and free from effluvia arising from drain, privy, or otherwise. In public places, stores, etc., the privies shall be plainly designated for color and sex, provided with a supply of toilet paper, and no person shall be allowed to enter or use any such closet or privy assigned to persons of the other color or sex.

(l) Where there is an established system of waterworks and sewer system, all privies located on premises within 300 feet of sewer main or lateral shall be connected with the waterworks and sewer.

Swimming Pools—Regulation of. (Amdt. to Sanitary Code, Bd. of H., Feb. 26, 1913.)

ARTICLE 590 (a). It shall be unlawful for any person, persons, or corporation to conduct, manage, or maintain any natatorium, swimming pool, or tank in any town, city, or parish, State of Louisiana, or for any person to bathe in or use any such natatorium, swimming pool, or tank without complying with all the rules and regulations for the protection and safety of the health and lives of the patrons of such natatorium, pool, or tank. In incorporated municipalities the municipal health officer shall be responsible for the enforcement of these regulations, with the parish health officer responsible for the remainder of the parish, under the direction of the State board of health.

(b) All inclosed pools or tanks, with nonporous bottoms, shall be thoroughly cleaned at least once each week, with soap or lye and hot water and, when necessary, an additional cleaning with bichloride of mercury or carbolic acid solution, or other disinfectant, as the health department may direct, and all such pools or tanks shall be emptied and the water therein completely changed at least twice each week.

(c) All pools or tanks, with constantly running water and porous bottoms, must also have sufficient outlet pipes to insure adequate change of water, and at all times be maintained in a sanitary condition.

(d) The bottoms and sloping sides of all tanks or pools shall be white, so that objects may be clearly seen, so far as possible, in all portions of the pool or tank.

(e) The management of all natatoriums, swimming pools, and tanks shall provide a sufficient number of attendants, instructors, and life-savers, with qualifications and training sufficient to enable them, in case of necessity, to protect and save the lives of those using such pools or tanks: *Provided*, That the provisions of this section shall not apply to clubs and athletic institutions patronized by members only: *Provided, however*, That such institutions shall have attendants and swimming instructors on duty at all times while women and children, under the age of 15 years, are using the pools or tanks therein, whether open to the public generally or not, unless accompanied by a parent or other mature and responsible person.

(f) No intoxicated person or one afflicted with scabies, favus, syphilis, gonorrhea, tuberculosis, eye trouble, or any other infectious or contagious disease, shall use or be permitted to use any swimming pool or tank.

(g) All persons, before entering any swimming pool or tank, shall be required to thoroughly cleanse the body, through the use of shower bath or other similar device maintained and used for such purpose.

(h) Separate apartments shall be provided for the sexes, with ample lavatory and toilet (water-closet) facilities.

(i) No person shall use or be permitted to use any pool or tank while the same is being emptied or refilled, or while the same is empty, and no patron shall be allowed in or about the same at such time.

(j) All chutes, constructed in or above any swimming pool or tank, shall be constructed in a safe and proper manner, and no person shall slide down such while in a standing or kneeling position.

(k) All swimming pools shall be provided with sufficient cuspidors, kept and maintained in all dressing rooms and at the edge of all pools, and drainage shall be provided around all pools or tanks so as to keep water or other material from flowing into said pools or tanks.

(l) The walls and floors of all natatoriums, tanks, and pools shall be constructed in a sanitary manner.

(m) The buildings, walks, pools, tanks, grounds, and different apartments, including the surroundings, shall be kept and maintained scrupulously clean, ventilated, and drained, so as to insure perfect sanitation.

(n) A system of thorough steaming, washing, and drying, to supply perfectly clean suits and towels for each person, shall be provided.

(o) Each natatorium, swimming pool, or tank shall be provided with an abundance of clean potable water for drinking and clean for shower bath.

(p) No person, attendant, instructor, or other person, while bathing or while engaged or working about or in any pool or tank, shall smoke or chew tobacco in any form, and it shall be unlawful for any person to expectorate in the water of any tank or pool or to blow the contents of his nose therein, or in any other place than in cuspidors provided for such purposes. Antispit, antitowel, and anticup signs shall be conspicuously posted, also a copy of these regulations shall be placed in a prominent place.

(q) The manager, or person in charge of each natatorium, swimming pool, or tank shall make quarterly reports, beginning April 1, 1913, to the State board of health

with complete inventory of number of bathing suits for males and females, number of face and bathing towels on hand, with a general statement as to sanitary condition of buildings, grounds, apartments, etc., with any additional information the local or State health departments may request.

(r) Natatoriums, swimming pools, and tanks now in operation, or which were in operation during the summer of 1912 and are about to resume shall be allowed until July 31, 1913, to make such changes, alterations, or additions as may be necessary to conform to these regulations.

(s) Hereafter, before the construction of any natatorium, swimming pool, or tank, the plans and specifications for such structure shall be submitted to and approved by the local and State boards of health before a permit therefor shall be issued for same.

Offices, Sanatoria, Parlors, etc.—Sanitary Inspection of. (Reg. Bd. of H., Feb. 26, 1913.)

That on and after June 1, 1913, the following shall be incorporated in the sanitary code as an amendment thereto and shall become article 589 thereof, to wit:

ARTICLE 589 (a). Hereafter all offices, sanatoria, parlors, and other places, whether in charge of a physician or physicians, dentist or dentists, skin specialist, dermatologist, or other person or persons treating or in any wise attempting to cure any human ailment, shall be subject to inspection by this board;

(b) That from the inspection hereinbefore provided for such offices, sanatoria, parlors, and other places shall be scored for points and according to the model score card made section (c) of this article and that when such offices, sanatoria, parlors, and other places shall fall below 50 points upon such scoring and inspection this board will cause to be made against the person primarily responsible for the conduct of such office charges for the infraction of this code.

(c)		
Name.....		
Address.....		
No.....	Date.....19..	
<i>Equipment.</i>		
Location.....		2
Surroundings.....		2
<i>Arrangement.</i>		
Necessary rooms.....		1
Conveniences.....		1
<i>Construction.</i>		
Floor.....		2
Walls.....		1
Ceiling.....		1
Light.....		1
Ventilation.....		2
Screens.....	
Fans.....		2
<i>Water.</i>		
Hydrant (3) stationary (1).....		3
Kind and quality.....	
Hot—abundance.....		5
Cool—abundance.....		5
Drinking water and glasses.....	
In cooler (2) otherwise (1).....		2
<i>Sterilizer.</i>		
Instruments.....		4
Library.....		4
Furniture.....		4
<i>Journals.</i>		
National (2) State (1).....	
For 3 others (2).....		5
		<u>50</u>

<i>Method.</i>			
Cleanliness:		Perfect.	Allowed.
Floor.....		3
Furniture.....		2
Walls.....		2
Ceiling.....		1
Doors.....		1
Windows.....		1
Good condition (otherwise).....		2
Free from flies.....		2
Free from bad odor.....		1
<i>Instruments</i>		4
Tables (operating).....		2
Chairs (operating).....		2
Sterilizers.....		2
Sinks and lavatory.....		3
Toilets.....		3
Disposition of old dressings, etc.....		3
Personal appearance of attendant.....		2
<i>Physician, dentist, or operator:</i>			
Cleanliness of hands and finger nails.....		4
Personal appearance and breath.....		6
General health.....		4
		50

Embalming. (Amdts. to Sanitary Code, Bd. of H., Feb. 26, 1913.)

Article No. 99.—After paragraph 8 insert a new paragraph.

9. No dead human body requiring embalming under these rules shall be accepted for transportation unless said body has been embalmed at least 8 hours.

Make paragraph No. 9 No. 10.

Article No. 105.—Strike out paragraph No. 3 and insert the following in lieu thereof:

3. The application shall be accompanied with a fee of \$10, which shall entitle the applicant to an examination as to his or her qualifications, and to a certificate should he or she pass said examination.

The above-mentioned fee, \$10, will include the first annual fee or fractional part thereof for the year in which the said certificate is issued.

Strike out article No. 108 and insert the following in lieu thereof:

108. All certificates shall expire December 31 of each year and must be renewed by the payment of \$2.50 within 30 days after the expiration of the term of the certificate.

Article No. 109.—Strike out paragraph 2 of article 109 and insert the following in lieu thereof:

2. Members of board of examiners for embalmer's certificate shall not issue temporary permit to practice embalming in this State.

Article No. 110.—After paragraph (b) add the following:

(c) Pending a renewal of license no licensed embalmer shall practice the science of embalming.

(d) An employee, student, apprentice, helper, undertaker, funeral director, or any other person who is not the holder of a license issued by this board, shall not attempt to practice embalming, in any of its branches, unless a duly licensed embalmer is actually present during the entire operation, and the embalming is done under such licensed embalmer's personal directions and supervision.

Embalmers—Board of Examiners. (Reg. Bd. of H., Aug. 20, 1913.)

The Sanitary Code was amended by striking out from section 110, in the first paragraph, the clause “* * * residing at the domicile of the State board,” so that the first paragraph shall read as follows:

“The State board hereby appoints a commission of examiners, composed of two medical members and two practical embalmers, with the president of the State board as ex officio chairman.”

MAINE.

Occupational Diseases—Notification of Cases Required. (Chap. 82, Act Mar. 20, 1913.)

SECTION 1. Every physician attending upon or called in to visit a person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, or mercury, or their compounds, or from anthrax, or from compressed-air illness, or any other ailment or disease contracted as a result of such person's occupation or employment, shall, within 10 days after his first attendance upon such person, send to the State board of health a written notice stating the name and full post-office address and place of employment of such person, and the nature of the occupation and the disease or ailment from which, in the opinion of the physician, the person is suffering, with such other specific information as may be required by the State board of health.

SEC. 2. In like manner, as is provided in section 1, shall every case of lead poisoning and of suspected lead poisoning, which has resulted from the use of water which contains lead or is suspected of containing lead, be reported to the State board of health, and when such reports are received the said board shall do what it can by laboratory work and otherwise to enable the attending physician to determine whether the case is one of lead poisoning and, if so, the source of the poison.

SEC. 3. Any physician who shall fail to perform the duty imposed by section 1 of this act within the time therein limited shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$5 nor more than \$10.

SEC. 4. It shall be the duty of the State board of health and of the county attorney of the county wherein any person violating the provisions of this act may reside to prosecute all violations of the provisions of this act which shall come to the knowledge of them or either of them.

Tuberculosis—Disinfection of Apartments. (Chap. 67, Act Mar. 18, 1913.)

Section 4 of chapter 78 of the public laws of 1909 is hereby amended by adding thereto the following words: "But the methods or processes of distinction and the material or agencies with which it shall be done shall be those which are advised by the State board of health for work of that kind in connection with tuberculosis," so that said section, as amended, shall read as follows:

SEC. 4. When notified of the vacation of any apartments or premises as provided in section 3 hereof, the health officer or secretary of the local board of health or his agent shall within 24 hours thereafter visit said apartments or premises, and shall order and direct that, except for the purposes of cleansing or disinfection, no infected article shall be removed therefrom until properly and suitably cleansed or disinfected, and said local board of health shall determine the manner in which such apartments or premises shall be disinfected, cleansed, or renovated, in order that they may be rendered safe and suitable for occupancy. If the health authorities determine that disinfection is sufficient to render them safe and suitable for occupancy, such apartments or premises, together with all infected articles therein, shall immediately be disinfected by the health authorities at public expense, or, if the owner prefers, by the owner at his expense, to the satisfaction of health authorities; but the methods or processes of disinfection and the material or agencies with which it shall be done shall be those which are advised by the State board of health for work of that kind in connection with tuberculosis.

State Board of Health—Powers of—Regulations. (Chap. 149, Act Mar. 31, 1913.)

Section 8 of chapter 18 of the revised statutes, as amended in section 2 of chapter 48 of the public laws of 1909, is hereby further amended by inserting after the word "diseases" in the 29th line the following: "For guarding against the transmission of infectious and contagious diseases through the medium of common towels, common drinking cups, and other articles which may carry infection from person to person; for the sanitation of railway service and that of other common carriers," so that said section, as amended, shall read as follows:

SEC. 8. The more effectually to protect the public health the State board of health may establish such systems of inspection as in its judgment may be necessary to ascertain the actual or threatened presence of the infection of Asiatic cholera, small-pox, diphtheria, scarlet fever, plague, or typhus fever; and any duly authorized agent or inspector of said board may enter any building, vessel, railway car, or other public vehicle to inspect the same and to remove therefrom any person affected by said diseases; and for this purpose he may require the person in charge of any vessel or public vehicle other than a railway car to stop such vessel or vehicle at any place, and he may require the conductor of any railway train to stop his train at any station or upon any sidetrack and there detain it for a reasonable time; provided, that no conductor shall be required to stop his train when telegraphic communication with the dispatcher's office can not be obtained or at such times or under such circumstances as may endanger the safety of the train and passengers; and provided further, that any such agent or inspector may cause any car which he may think may be infected with any of said diseases to be sidetracked at any suitable place and there be cleansed, fumigated, and disinfected. And the said board of health may from time to time make, alter, modify, or revoke rules and regulations for guarding against the introduction of any infectious or contagious diseases into the State, including rabies, or hydrophobia of animals and men; for the control and suppression thereof if within the State; for the quarantine and disinfection of persons, localities, and things infected or suspected of being infected by such diseases; for guarding against the transmission of infectious and contagious diseases through the medium of common towels, common drinking cups, and other articles which may carry infection from person to person; for the sanitation of railway service and that of other common carriers; for the transportation of dead bodies when death results from any infectious or contagious disease; for the speedy and private interment of the bodies of persons who have died from said diseases; and, in emergency, for providing those sick with said diseases with necessary medical aid and with temporary hospitals for their accommodation and for the accommodation of their nurses and attendants. And the said board may declare any and all of its rules and regulations made in accordance with the provisions of this section to be in force within the whole State, or within any specified part thereof, and to apply to any person or persons, family, camp, building, vessel, railway car, or public vehicle of any kind.

Habit-Forming Drugs—Sale of. (Chap. 211, Apr. 12, 1913.)

SECTION 1. No person, firm, or corporation shall manufacture any so-called catarrh powder or catarrh cure, or any patent or proprietary preparation containing cocaine, or any of its salts, or alpha or beta eucaine, or any of their salts, or any synthetic substitute for them.

SEC. 2. No person, firm, or corporation shall sell, or expose or offer for sale, or give, deliver, or exchange cocaine, or alpha, or beta eucaine, or any synthetic substitute for them or any preparation containing the same, or any salts or compounds thereof, except upon the written prescription of a physician, dentist, or veterinary surgeon, registered under the laws of the State in which he resides, which prescription shall be dated and bear the name of the person giving it and of the person prescribed for, and the original prescription shall be retained by the druggist filling the same for at least two years and shall not be again filled, except upon the written order of the original prescriber,

and shall at all times be open to inspection by members of the State board of health, members of the State board of pharmacy and their authorized agents, by State officials and their authorized agents, and by the police authorities and officers of cities and towns. But no practitioner of veterinary medicine shall prescribe any of the above-mentioned substances for the use of a human being.

SEC. 3. No person shall sell, furnish, give away, or deliver opium, morphine, heroin, codeine, cannabis indica, or cannabis sativa, or any salt, compound, or preparation of said substances except upon the written prescription or order of a lawfully authorized practitioner of medicine, dentistry, or veterinary medicine, which prescription shall be dated and shall bear the name of the person giving it and the name of the person prescribed for; which original prescription shall be retained by the druggist filling the same for at least two years, and shall not again be filled except upon the written order of the original prescriber. Such prescriptions shall at all times be open to inspection by members of the State board of health, the State board of pharmacy, State officials and their duly authorized agents, and by the police authorities and officers of the cities and towns. But no practitioner of veterinary medicine shall prescribe any of the above substances for the use of a human being.

The provisions of this section shall not apply to sales made by a manufacturer or wholesale or retail druggist to another manufacturer, wholesale or retail druggist; nor to sales made to hospitals, colleges, scientific or public institutions, or to physicians, dentists, or veterinary surgeons; nor to the sale of cough remedies and other domestic and proprietary preparations, providing that such remedies and preparations are sold in good faith as medicines, and not for the purpose of evading the provisions of this act: *And provided further*, That such remedies and preparations do not contain more than 2 grains of opium, or one-half of a grain of morphine, or one-fourth of a grain of heroin, or 1 grain of codeine or their salts, in 1 fluid ounce, or, if a solid preparation, in 1 avoirdupois ounce; but such provisos shall not apply to liniments and ointments which are prepared for external use only. Nor shall the provisions of this section apply to preparations containing opium or any of its salts which are sold in good faith as remedies for diarrhea, cholera, or neuralgia, nor to powder of ipecac and opium, commonly known as Dover's powders: *Provided*, That any such preparation is sold in good faith as medicine and not for the purpose of evading the provisions of this act.

SEC. 4. No practitioner of medicine, dentistry, or veterinary medicine shall prescribe, for the use of an habitual user of the same, opium, morphine, heroin, codeine, or any salt or compound of the said substances, or any preparation containing any of the said substances or their salts or compounds, or cocaine or its salts, or alpha or beta eucaine or their salts, or any synthetic substitute for them, or any preparation containing the same or any salt or compound thereof; nor shall any practitioner of dentistry prescribe any of the said substances for any person not under his treatment in the regular practice of his profession, nor shall any practitioner of veterinary medicine prescribe any of the substances for the use of a human being: *Provided, however*, That the provisions of this section shall not be construed to prevent a lawfully authorized practitioner of medicine from prescribing for the use of any habitual user of hypnotic or narcotic drugs who is under the professional care of such practitioner such substances as he may deem necessary for treatment, if such prescriptions are given in good faith and not for the purpose of evading the provisions of this act.

SEC. 5. A manufacturer or jobber of any or all of the drugs enumerated in sections 2 and 3 of this act, a wholesale druggist, or a registered pharmacist, may sell any drug mentioned in said sections 2 and 3 to a manufacturer, jobber, wholesale druggist, or to a pharmacist, physician, veterinarian, or dentist, qualified to practice under the laws of this State, or to an incorporated hospital, but only upon a written order duly signed by such manufacturer, jobber, wholesale druggist, registered pharmacist, registered physician, registered veterinarian, registered dentist, or the superintendent of such incorporated hospital, which order shall show the article or articles ordered

and the date of delivery. The said order shall be kept on file in the laboratory, warehouse, pharmacy, or store from which it was filled by the proprietor thereof, or his successor, for a period of not less than two years from the date of delivery, and shall at all times be open to inspection by officers of the State board of health, members of the State board of pharmacy, or their authorized agents, State officials and their authorized agents, and the police authorities and officers of cities and towns; and such order shall not contain items of any drug not mentioned in sections 2 and 3 of this act.

SEC. 6. A person not being a physician, dentist, or veterinary surgeon, qualified to practice in this State, or not being a manufacturer or wholesale or retail dealer in drugs, who has in his possession opium, morphine, heroin, codeine, cannabis indica, cannabis sativa, or any other hypnotic or narcotic drug or salt, compound, or preparation of said substances, cocaine, alpha or beta eucaine or any synthetic substitute for them, or any preparation containing the same, or any salts or compounds thereof, except by reason of a prescription of a physician, dentist, or veterinary surgeon qualified to practice in this State shall be punished as provided in section 8 of this act. The provisions of this section shall not apply to a person, firm, or corporation while transporting any of the above-mentioned drugs from or to a manufacturer or jobber, wholesale druggist, registered pharmacist, registered physician, registered veterinarian, registered dentist, or incorporated hospital, nor to persons who may have the above-mentioned articles in their possession in connection with the enforcement of the provisions of this act or with the trial of cases arising thereunder. Possession of any of the drugs mentioned in this section shall be prima facie evidence that such possession is unlawful.

SEC. 7. No practitioner of medicine, surgery, dentistry, or veterinary medicine shall dispense, furnish, or give away opium, morphine, heroin, codeine, cannabis indica, cannabis sativa, or any salt compound of said substances or any preparation containing any of the said substances or their salts or compounds, or cocaine or its salts or alpha or beta eucaine or their salts or any synthetic substitute for them, or any preparation containing the same or any salt or compound thereof except in good faith as medicines for diseases indicated; and the aforesaid practitioners shall keep a record in a book kept solely for that purpose of the name and address of the patient treated, the name of the disease indicated, and the quantity of the drug dispensed, furnished, or given away on each separate occasion, which record shall be made within 48 hours of the dispensing, furnishing, or giving away and shall be preserved for at least two years, and shall at all times be open to inspection by members of the State board of health, members of the State board of pharmacy or their authorized agents, by State officials or their authorized agents, or by the police authorities or officers of cities and towns. But no practitioner of medicine, surgery, or dentistry shall dispense or prescribe, except for his own professional use, more than 4 grains of morphine, cocaine, heroin, opium, or any other hypnotic or narcotic drug, their salts, compounds, or any preparation of the same, unless it be for a chronic, incurable, or malignant disease.

SEC. 8. A person who violates a provision of the foregoing sections, or aids or abets another in the violation thereof, shall be fined not more than \$1,000 nor less than \$50, or be imprisoned not more than one year, or both. Judges of the municipal and police courts and trial justices shall have original and concurrent jurisdiction with the superior and supreme courts of offenses under this act.

SEC. 9. The director of the Maine Agricultural Experiment Station shall make a chemical analysis to determine the composition and quality of any substance mentioned in this act on application of the county attorney of any county of Maine, and shall furnish a certificate certifying to the composition or quality thereof. The certificate, under seal of the Maine Agricultural Experiment Station, which shall be fixed by the chemist thereof making the analysis, shall be prima facie evidence of the composition and quality of the substance analyzed.

MASSACHUSETTS.

Communicable Diseases—Reporting of Deaths from. (Chap. 210, Feb. 28, 1913.)

The board of health in cities and in towns, the board of health, or, when no such board is chosen, the selectmen acting as a board of health, shall send to the State board of health every week a report of the deaths in their city or town, for the week ending Saturday noon, from all diseases declared by the State board of health to be dangerous to the public health, upon forms to be prescribed by said State board.

Occupational Diseases—Notification of Cases. (Act June 16, 1913.)

SECTION 1. The State board of labor and industries and the industrial accident board, sitting jointly, shall investigate from time to time employments and places of employment within the Commonwealth, and determine what suitable safety devices or other reasonable means or requirements for the prevention of accidents shall be adopted or followed in any or all such employments or places of employment; and also shall determine what suitable devices or other reasonable means or requirements for the prevention of industrial or occupational diseases shall be adopted or followed in any or all such employments or places of employment; and shall make reasonable rules, regulations, and orders for the prevention of accidents and the prevention of industrial or occupational diseases in such employments or places of employment. Such rules, regulations, and orders may apply to both employer and employee.

SEC. 2. Before the adoption of any rule or regulation by the said joint board a hearing shall be given, and not less than 10 days before the hearing a notice thereof shall be published in at least three newspapers, of which one shall be published in the city of Boston. Such rules or regulations shall upon adoption be published in like manner and shall take effect 30 days after such publication, or at such later time as the board may fix. Before the adoption of any order a hearing shall be given thereon, of which a notice of not less than 10 days shall be given to the individuals, firms, corporations, or associations affected thereby.

SEC. 3. The joint board may appoint committees, on which employers and employees shall be represented, to investigate and recommend rules and regulations.

SEC. 4. The joint board shall make such general arrangements between the two boards as will prevent duplication of effort, but the inspection and investigation carried on by the State board of labor and industries shall be a regular and systematic inspection and investigation of all places of employment and the conditions of safety and health pertaining thereto, and the inspection and investigation carried on by the industrial accident board shall be that relating to causes of injuries for which compensation may be claimed.

SEC. 5. Any member or employee of either board may enter any place of employment for any purpose under this act at any time when the place of employment is being used for business purposes.

SEC. 6. The joint board may require every physician treating a patient whom he believes to be suffering from any ailment or disease contracted as a result of the nature, circumstances or conditions of the patient's employment to report such information relating thereto as it may require, within such time as it may fix, to the State board of labor and industries, and it may issue a list of such diseases which shall be regularly reported upon by physicians and may add to or change such list at any time. Copies of all such reports and all statistics and data compiled therefrom shall be kept by the State board of labor and industries and shall be furnished on request to the industrial accident board and the State board of health.

SEC. 7. All hearings by the joint board shall be open to the public. The chairman of the State board of labor and industries and the chairman of the industrial accident board shall act alternately as chairman of the joint board, and the said board may designate one of the employees of either board to act as secretary.

SEC. 8. Section 8 of chapter 726 of the acts of the year 1912 is hereby amended by adding at the end of the first paragraph thereof the words, "or persons especially qualified by technical education in matters relating to health and sanitation."

SEC. 9. The industrial accident board may appoint and remove not more than six inspectors, subject to the laws relating to the appointment and removal of employees in the classified civil service. They shall be required to pass examinations of a comprehensive and practical character based upon the particular requirements of the kinds of work to be done, shall be graded in such manner as the board may deem expedient, and shall receive such salaries as the board, with the approval of the governor and council, may fix.

SEC. 10. If any rule or regulation made under authority of section 18 of Part IV of chapter 751 of the acts of the year 1911 conflicts with or differs from a rule or regulation of the joint board, the rule or regulation of the joint board shall prevail.

SEC. 11. There may be expended annually by the joint board in carrying out the provisions of this act such sums as the general court may appropriate. The joint board shall annually submit to the auditor of the Commonwealth such statements of estimates to cover its expenses as are required by section 3 of chapter 719 of the acts of the year 1912.

SEC. 12. The following terms and phrases, as used in this act, shall have the following meanings:

(a) The term "employment" shall mean and include any trade, occupation or branch of industry, any particular method or process used therein, and the service of any particular employer; but shall not include private domestic service or service as a farm laborer.

(b) The phrase "place of employment" shall mean and include every place whether indoors or out or underground and the premises appurtenant thereto, into, in, or upon which any employee goes or remains either temporarily or regularly in the course of his employment.

(c) The terms "safe" and "safety," as used in this act, shall be held to relate to such freedom from danger to the life, safety, and health of employees, as the nature of the employment will reasonably permit.

(d) The terms "industrial disease" and "occupational disease" shall mean and include any ailment or disease caused by the nature, circumstances, or conditions of the employment.

SEC. 13. Whoever violates any reasonable rule, regulation, order, or requirement made by the joint board under authority hereof, shall be punished by a fine of not more than \$100 for each offense.

SEC. 14. All acts and parts of acts inconsistent herewith are hereby repealed; but this provision shall not be construed to take away any of the existing powers of the industrial accident board, the board of railroad commissioners, the State board of health, the board of boiler rules, the boiler-inspection department of the district police, or the building-inspection department of the district police, or any power given to the State board of labor and industries by chapter 726 of the acts of the year 1912.

Communicable Diseases—Powers of State Board of Health in Preventing the Spread of. (Chap. 670, Act May 16, 1913.)

Chapter 75 of the Revised Laws is hereby amended by striking out section 8 and inserting in place thereof the following:

"SEC. 8. If smallpox or any other contagious or infectious disease declared by the State board of health to be dangerous to the public health exists or is likely to exist

in any place within the Commonwealth, the State board shall make an investigation thereof and of the means of preventing the spread of the disease, and shall consult thereon with the local authorities. It shall have coordinate powers as a board of health, in every city and town, with the board of health thereof, or with the mayor and aldermen of a city or the selectmen of a town in which there is no such board. It may require the officers in charge of any city or State institution, charitable institution, public or private hospital, dispensary, or lying-in hospital, or any local boards of health or the physicians in any city or town to give notice of cases of any disease declared by the State board of health to be dangerous to the public health. Such notice shall be given either in the manner prescribed in sections 49, 50, and 52 of chapter 75 of the Revised Laws, as amended by chapter 480 of the acts of the year 1907, or in such other manner as the State board of health may deem advisable. If any such officer, board, or physician refuses or neglects to give such notice, he or they shall forfeit not less than \$50 nor more than \$200 for each offense."

Poliomyelitis—Investigation by State Board of Health. (Chap. 22, Res. Mar. 6, 1913.)

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of \$10,000, to be expended under the direction of the State board of health in its investigation of the disease known as anterior poliomyelitis or infantile paralysis.

Health Laws—Codification by Board of Health Directed. (Chap. 118, Res. June 13, 1913.)

Resolved, That the State board of health is hereby directed to codify the health laws of the Commonwealth and to report the codification to the general court not later than the 10th day of January in the year 1914, together with a plan for the more efficient local administration of the said laws. For this purpose the said board may employ legal assistance and may expend a sum not exceeding \$500.

Board of Health—Publications to be Issued by. (Chap. 622, May 8, 1913.)

Section 1 of chapter 230 of the acts of the year 1902 is hereby amended by striking out the words "five hundred," in the sixteenth line, and inserting in place thereof the words "one thousand," so as to read as follows:

"SECTION 1. The State board of health is hereby authorized to publish for general distribution such parts of its annual report and such other matter as it may deem adapted to promote the interests of the public health in this Commonwealth: *Provided*, That the expense of such publication is paid out of the appropriation for the general expenses of the board and does not exceed in any one year the sum of \$500. The board is also authorized to publish not oftener than once in three years, beginning with the year 1902, a manual of the laws relating to boards of health in this Commonwealth, together with such other information upon the same subject as the board may deem expedient, the same to be distributed among the local boards of health throughout the Commonwealth. The cost of such publications shall not exceed \$1,000 for each edition and shall be paid out of the appropriation for general expenses of the board."

Bacteriological Laboratories—Establishment of, by Counties. (Chap. 328, Mar. 21, 1913.)

SECTION 1. For the better preservation of the public health and for the purpose of securing greater accuracy in the diagnosis of communicable diseases, county commissioners are hereby authorized to establish and maintain bacteriological laboratories or to provide such laboratory facilities for their respective counties, from time

to time, as may be deemed advantageous by them, and for this purpose may expend such sums as may be necessary from the treasury of the county.

SEC. 2. No expenditures shall be made under the provisions of this act until the laboratories or the laboratory facilities established or provided in accordance herewith have been inspected and approved by the State board of health.

State Board of Health—Appropriation for. (Chap. 463, Act Apr. 10, 1913.)

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the salaries and expenses of the State board of health, for the fiscal year ending on the 30th day of November, 1913, to wit:

For the salary of the secretary, \$5,000.

For the general work of the board, including traveling expenses, a sum not exceeding \$26,500.

For salaries and expenses for the inspection of milk, food, and drugs, a sum not exceeding \$17,500.

For expenses of the examination of sewer outlets, a sum not exceeding \$16,000.

For the expense of producing and distributing antitoxin and vaccine lymph, a sum not exceeding \$21,000.

For printing and binding the annual report, a sum not exceeding \$5,000.

For services of engineers, chemists, biologists, and other assistants, and for other expenses in protecting the purity of inland waters, a sum not exceeding \$36,000.

For the salaries and expenses of the inspectors of health, a sum not exceeding \$38,800.

For expenses in connection with the watershed of the Charles River Basin in the city of Boston, a sum not exceeding \$1,800.

For compensation and expenses of the State examiners of plumbers, a sum not exceeding \$5,200.

For the expenses of carrying out the provisions of the act relative to the prevention of ophthalmia neonatorum, a sum not exceeding \$500.

For the expenses of slaughtering and meat inspection, a sum not exceeding \$5,000.

For expenses in regulating the cold storage of certain food products, a sum not exceeding \$7,000.

For expenses in connection with the supervision of water companies, a sum not exceeding \$1,000.

For expenses in connection with the examination of the sanitary condition of the Merrimac River, a sum not exceeding \$1,000.

For expenses in connection with the protection of the public health along the valley of the Aberjona River, a sum not exceeding \$1,000

Milk and Milk Products—Improvement of, by Offering Prizes. (Chap. 96, Res. May 26, 1913.)

Resolved, That the State board of agriculture is hereby authorized to provide for the encouragement of practical dairymen in the production of milk and dairy products of superior quality and cleanliness by offering prizes for the best-kept stables, the lowest bacteria counts, and best quality of milk, or otherwise, as the board may determine; by demonstrations illustrating the best methods of dairying; by agents who shall instruct the citizens of the Commonwealth in matters of stable construction and management and dairy methods in general; by the distribution of literature giving information in regard to the best methods of dairying, and especially in regard to the production of clean milk; or in such other manner as the board may deem best for the encouragement of dairying and the production of clean milk. For traveling, incidental, administrative, and office expenses necessarily incurred in carrying out the

purposes of this resolve, the said board may expend a sum not exceeding \$5,000 annually for three years, beginning with the year 1913, and if any part of the said \$5,000 remains unexpended at the close of any one year, the balance may be expended in the following year.

Milk—Cleaning of Containers, Utensils, etc. (Chap. 761, Act June 10, 1913.)

SECTION 1. Vessels used as containers in the holding, handling, or sale of milk to be sold, or intended for sale, shall be clean and free from foreign deposits upon the inside. Whoever, by himself, or by his servant or agent, or as the servant or agent of another person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell, exchange, or deliver, milk in vessels used as containers unclean upon the inside or having foreign deposits upon the inside shall be punished by a fine of not more than \$50.

SEC. 2. All appliances, implements, utensils, strainers, or materials used in milking and in the treatment or mixing of milk to be sold or intended for sale shall be clean and free from foreign deposits. Whoever, by himself, or by his servant or agent, or as the servant or agent of another person, sells, exchanges, or delivers, or has in his custody or possession with intent to sell, exchange, or deliver, milk obtained, treated, or mixed by the use of appliances, implements, utensils, strainers, or materials unclean or having foreign deposits shall be punished by a fine of not more than \$50.

Foodstuffs—Sale of Unwholesome, Prohibited. (Chap. 687, Act May 20, 1913.)

SECTION 1. Whoever sells or offers for sale for food or drink any diseased animal or any product thereof, or any tainted, diseased, corrupt, decayed, or unwholesome carcass, meat, fish, vegetables, produce, fruit, or provisions of any kind, except when packed in such a container that, upon reasonable inspection, the condition of the contents thereof can not be ascertained, without making the condition of the thing sold or offered for sale fully known to the buyer, shall be punished by a fine of not more than \$200, or by imprisonment for not more than 6 months, or by both such fine and imprisonment.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Foodstuffs—False Stamping or Labeling of Receptacles. (Chap. 795, Act June 13, 1913.)

Section 24 of chapter 75 of the revised laws as amended by chapter 236 of the acts of the year 1905 and by chapter 305 of the acts of the year 1906 is hereby further amended by striking out the said section and inserting in place thereof the following:

"SEC. 24. Whoever falsely stamps or labels any cans, jars, or other packages containing fruit or food of any kind, or permits such stamping or labeling, or, except as hereinafter provided, violates any of the provisions of sections 16 to 27, inclusive, shall be punished by a fine of not less than \$25 nor more than \$500; and whoever knowingly sells such goods so falsely stamped or labeled shall be punished by a fine of not less than \$10 nor more than \$100."

Ice Cream—Manufacture and Sale of. (Chap. 743, Act June 6, 1913.)

SECTION 1. Substances manufactured and sold under the general name of "ice cream" shall contain not less than 7 per cent of milk fat, and if flavored with fruit shall be flavored only with sound, clean, matured fruit, and if containing nuts shall contain only sound, matured, nonrancid nuts.

SEC. 2. Violation of the provisions of this act shall be punished, at the discretion of the court, by a fine not exceeding \$100.

Sec. 3. Inspectors of milk shall have the same authority in regard to any suspected violation of any provision of this act and relative to the enforcement thereof which they have under section 42 of chapter 56 of the revised laws.

Candy—Not to Contain More than 1 Per Cent of Alcohol. (Chap. 647, Act May 13, 1913.)

Chapter 213 of the revised laws is hereby amended by striking out section 4 and inserting in place thereof the following:

“**Sec. 4.** Whoever sells to a person any candy inclosing or containing liquid or sirup containing more than 1 per cent of alcohol shall be punished by a fine of not more than \$100 for each offense.”

Confectionery—Deleterious Substances in. (Chap. 265, Mar. 8, 1913.)

Whoever himself, or by his agent or servant, or as the agent or servant of another person or corporation, manufactures, sells, or exchanges, or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale or exchange, any confectionery containing or coated wholly or in part with terra alba, barytes, paraffin, talc, chrome yellow, or other injurious mineral substance or poisonous color or flavor or other ingredient deleterious or detrimental to the public health shall be punished by a fine of not less than \$50 nor more than \$100.

Eggs—Sale of, After Cold Storage. (Chap. 538, Act Apr. 25, 1913.)

SECTION 1. Whenever eggs that have been in cold storage are sold at retail, or offered or exposed for sale, the basket, box, or other container in which the eggs are placed shall be marked plainly and conspicuously with the words “Cold-storage eggs,” or there shall be attached to such container a placard or sign having on the said words. If eggs that have been in cold storage are sold at retail or offered or exposed for sale without a container, or placed upon a counter or elsewhere, a sign or placard, having the words “Cold-storage eggs” plainly and conspicuously marked upon it, shall be displayed in, upon, or immediately above the said eggs; the intent of this act being that cold-storage eggs sold at retail or offered or exposed for sale shall be designated in such a manner that the purchaser will know that they are cold-storage eggs. The display of the words “cold-storage eggs,” as required by this act, shall be done in such a manner as is approved by the State board of health.

Sec. 2. Violation of any provision of this act shall be punished by a fine of not less than \$10 nor more than \$500 for each offense.

Eggs—Not to be Sold for nor Used as Food When Decayed or Decomposed. (Chap. 654, Act May 13, 1913.)

SECTION 1. It shall be unlawful for any person, firm, or corporation, or any officer, agent, or employee thereof, to sell, offer for sale, expose for sale, or have in possession with intent to sell, eggs that are unfit for food within the meaning of this act.

Sec. 2. This act shall apply to eggs which, either before or after removal from the shell, are wholly or partly decayed or decomposed, and to eggs in the fluid state, any part of which is wholly or partly decayed or decomposed, and to eggs, in the fluid state or otherwise, that are mixed with parts of eggs which are derived from eggs that are wholly or partly decayed or decomposed. This act shall also apply to frozen masses of broken eggs, if the mass contains eggs that are wholly or partly decayed or decomposed, or that are mixed with parts of eggs that have been taken from eggs that were wholly or partly decayed or decomposed.

SEC. 3. It shall be unlawful for any person, firm, or corporation, or any officer, agent, or employee thereof, to use eggs that are either wholly or partly decayed or decomposed in the preparation of food products. And it shall be unlawful to deliver, sell, purchase, or accept wholly or partly decayed or decomposed eggs in or at any establishment where food products are prepared or manufactured.

SEC. 4. Violation of any provision of this act shall be punished by a fine of not less than \$10 nor more than \$1,000, or by imprisonment for not less than three months, or by both such fine and imprisonment.

SEC. 5. The State board of health shall enforce the provisions of this act.

SEC. 6. Nothing in this act shall be construed to prohibit the purchase, sale, or possession for other than food purposes of rotten, decayed, or partly decayed eggs which are unfit for food.

Cold-Storage Eggs—Marking of. (Reg. Bd. of H., Aug. 7, 1913.)

At a meeting of the State board of health held August 7, 1913, it was voted to modify the regulation made June 5, 1913, to read as follows:

The sign or placard required by section 1 of chapter 538 of the Acts of 1913 to be placed upon or immediately above cold-storage eggs, or upon the basket, box, or other container in which cold-storage eggs are placed, shall consist of the words "Cold-storage eggs" printed in uncondensed gothic type, in letters not less than 1 inch in height, printed in black on a white background, no other lettering to appear on or to be attached to said sign or placard. (This sign or placard to be used only where eggs are offered or exposed for sale.)

Cold-Storage Eggs—Marking of. (Reg. Bd. of H., Oct. 10, 1913.)

On October 10, 1913, the State board of health voted to make the following additional regulation concerning the proper marking of cold-storage eggs when sold to a purchaser:

The marking required by section 1 of chapter 538 of the Acts of 1913,¹ to be placed upon the bag, basket, box, or other container in which cold-storage eggs are placed, after having been sold to a purchaser, shall consist of the words "Cold-storage eggs," printed or stamped in uncondensed gothic type, in letters not less than one-half inch in height, in black, purple, or red ink, no other lettering to appear in connection with the words "Cold-storage eggs." (This method of marking to appear on the bag, basket, box, or other container in which eggs are delivered to the purchaser.)

Broken Eggs not for Food—Marking of. (Reg. Bd. of H., Nov. 6, 1913.)

At a meeting of the State board of health held November 6, 1913, it was voted to change paragraphs 8 and 15 of the Rules and Regulations Governing the Business of Cold Storage to read as follows:

8. Broken eggs, packed in barrels, kegs, cans, or any other container, if not intended for use as food, shall be marked by the owner when deposited in cold storage, with a stamp or label reading "Not for food" on the side of the body of the container. The words "Not for food" shall be indicated in letters not less than three-eighths of an inch in height and a similar stamp or label shall be placed upon the side of any crate or other package containing more than a single can.

15. Any person, firm, or corporation violating any of the provisions of the above rules and regulations shall be subject to a fine not exceeding \$100 for each offense.

¹Page 225.

Mollusks taken from Polluted Waters—Sale of, Prohibited. (Chap. 504, Act Apr. 21, 1913.)

Section 4 of chapter 285 of the acts of the year 1907 is hereby amended by striking out the words "taken under the provisions of this act," in the third line, and inserting in place thereof the following: "taken from waters proscribed as contaminated and subject to the provisions of section 113 of chapter 91 of the Revised Laws, so as to read as follows:

"SEC. 4. Whoever sells, or exchanges, or exposes, or offers for sale or exchange, or buys any clams or quahaugs, taken from waters proscribed as contaminated and subject to the provisions of section 113 of chapter 91 of the Revised Laws, shall be punished by a fine of not more than \$100, or by imprisonment for a term not exceeding 3 months, or by both such fine and imprisonment."

Sausages—Manufacture of. (Chap. 650, Act May 13, 1913.)

SECTION 1. Chapter 213 of the Revised Laws is hereby amended by striking out section 9 and inserting in place thereof the following:

"SEC. 9. It shall be unlawful in the manufacture of sausages to use any coloring matter. Sausages shall not contain cereal in excess of 2 per cent. When cereal is added its presence shall be stated on the label or on the product. Water or ice shall not be added to sausage except for the purpose of facilitating grinding, chopping, and mixing, in which case the water or ice shall not exceed 3 per cent, except as hereinafter provided. Sausages of the class which are smoked or cooked, such as Frankfort style, Vienna style, and Bologna style, may contain added water in excess of 3 per cent, but not in excess of an amount sufficient to make the product palatable. When water, in excess of 3 per cent, and cereal are added to this class of sausages the statement "Sausage, water, and cereal" shall appear on the label or on the product, but when no cereal is added the addition of water need not be stated."

SEC. 2. It shall be unlawful to sell sausages manufactured contrary to the provisions of this act.

SEC. 3. Whoever violates the provisions of this act shall be punished by a fine of not more than \$100 for each offense.

Drugs—Adulteration of. (Chap. 272, Act Mar. 8, 1913.)

The first paragraph of section 18 of chapter 75 of the revised laws is hereby amended by striking out the words "falls below," in the eleventh line, and inserting in place thereof the words "differs materially from," so that the said first paragraph will read as follows: "A drug shall be deemed to be adulterated: 1. If, when sold under or by a name recognized in the United States Pharmacopœia, it differs from the standard of strength, quality, or purity prescribed therein, unless the order therefor requires an article inferior to such standard, or unless such difference is made known or so appears to the purchaser at the time of the sale. 2. If, when sold under or by a name not recognized in the United States Pharmacopœia, but which is found in some other pharmacopœia or other standard work on materia medica, it differs materially from the standard of strength, quality, or purity prescribed in such work. 3. If its strength, quality, or purity differs materially from the professed standard under which it is sold."

Marriage—Investigation Relative to Impediments to. (Chap. 85, Res. May 8, 1913.)

Resolved, That the State board of health and the State board of insanity are hereby empowered and directed jointly to investigate and to report to the general court, on or before the second Saturday of January next, what further impediments to mar-

riage, if any, should be recognized by law in this Commonwealth. If they make any recommendations they shall include in their report drafts of bills suitable for carrying them into effect.

Tenement Houses—Construction, Maintenance, and Alteration of. (Chap. 786, Act June 13, 1913.)

PART I.

GENERAL PROVISIONS.

SECTION 1. *Short title.*—This act shall be known as the tenement house act for cities.

(Section 2 gives definitions of terms used in the act.)

SEC. 3. *Buildings converted or altered.*—A building not a tenement house, if hereafter converted or altered to such use, shall thereupon become subject to all the provisions of this act affecting tenement houses hereafter erected.

SEC. 4. *Alterations and change of occupancy.*—No tenement house hereafter erected shall at any time be altered so as to be in violation of any provision of this act. If any tenement house or any part thereof is occupied by a number of families in excess of the number specified in this act, or is erected or altered or occupied contrary to law, such tenement house shall be deemed an unlawful structure, and the board of health may cause such building to be vacated; and it shall not again be occupied until it or its occupation, as the case may be, has been made to conform to the law, and a permit is obtained in writing from the board of health.

SEC. 5. *Law not to be modified.*—This act shall be held to provide the minimum requirements adopted for the protection of the health and safety of the community. Nothing in this act contained shall be construed as prohibiting any city from enacting from time to time supplementary ordinances imposing further restrictions, but no city authority shall have power to minimize, avoid, or repeal any provision of this act.

SEC. 6. *Sewer connection and water supply.*—The provisions of this act with reference to sewer connection and water supply shall be deemed to apply only where connection with a sewer and with a water main is or becomes accessible. The questions of the practicability of such sewer and water connections shall be decided by the local board of health, or by the State board of health upon request of the local board.

SEC. 7. *State board of health.*—The State board of health shall have power to examine into the enforcement of the laws relating to tenement houses in any city. Whenever so required by the governor, it shall make such an examination and shall report the result thereof to the governor within the time prescribed by him.

SEC. 8. *Time for compliance.*—All improvements specifically required by this act upon tenement houses erected prior to the date of its acceptance by a city shall be made within one year from said date, or at such earlier period as may be fixed by the building inspector.

PART II.

TITLE 1. LIGHT AND VENTILATION.

SEC. 9. *Distance from side lot line.*—No tenement house of third-class construction shall hereafter be erected, enlarged, or placed with the side walls, bay windows, or other projections, except cornices, belt courses, and window sills, nearer than 5 feet to the line of any adjoining lot, nor shall any

lot upon which such a tenement house stands be so changed in size as to bring the side walls or bay windows or other projections except as aforesaid nearer than 5 feet to the line of any adjoining lot. But any such tenement house may be constructed to the lot line if protected by a fire wall as provided in section 46. If the side walls of any tenement house of first or second class construction are built to the lot line, there shall be no windows or any other openings in such walls.

SEC. 10. Height.—No tenement house hereafter erected shall have more than one legally habitable story for each full 10 feet of the width of the street, unless such house be set back from the street a distance equal to the excess of its height over that permitted at the street line. On a corner lot the height shall be governed by the width of the wider street, as above, but this height shall not extend along the narrower street a distance greater than twice the width of said street.

SEC. 11. Yards.—Behind every tenement house hereafter erected there shall be a yard extending across the entire width of the lot and at every point open from the ground to the sky unobstructed, except as hereinafter provided. Every part of such yard shall be directly accessible from every other part thereof. The depth of said yard shall be measured from the extreme rear of the house toward the rear line of the lot. Where the rear of the lot abuts on a public alley or right of way dedicated to public use for the full width of the lot, the depth of the lot may be measured to the middle line of such alley or right of way; where there is no such alley or right of way the measurements shall be taken to the rear lot line. If the tenement house is three stories or less in height, the depth of the yard in the case of interior lots shall be not less than 15 feet, and the depth of the yard in the rear of corner lots shall be not less than 10 feet. If the tenement house exceeds three stories in height, the depths above prescribed in the case of interior lots shall be increased 5 feet and in the case of corner lots shall be increased 2 feet for each story above three stories. When a lot upon which a tenement house is built is bounded on every side by a street the yard may be omitted.

SEC. 12. Courts.—The sizes of all courts in tenement houses hereafter erected shall be proportionate to the height of the building. No court shall be less in any part than the minimum sizes prescribed in this section. The minimum width of a court for a two-story building shall be 10 feet, and the width shall increase 2 feet for each additional story. The length of an inner court shall never be less than twice the minimum width prescribed by this section. The length of an outer court shall never be greater than twice its minimum width unless provided at the inner end with an air intake at the bottom, as prescribed in section 14, which shall communicate directly with the street or yard or front yard.

The minimum width for an outer court on the lot line extending from the street or front yard to the yard shall be 10 feet for a three-story building, and the width shall increase 1 foot for each additional story.

SEC. 13. Courts open at top.—No court of a tenement house hereafter erected shall be covered by a roof or skylight, but every court shall be at every point open from the ground to the sky unobstructed.

SEC. 14. Air intakes.—In every tenement house hereafter erected, four stories or under in height, every inner court shall be provided with one or more horizontal air intakes at the bottom. Such intakes shall communicate directly with the street, front yard or yard, and shall consist of a fireproof passageway not less than 3 feet wide and 7 feet high which shall be left open, or be provided with an openwork gate at each end, and such gate shall not be covered over in any way either by glass or any other material. If the tenement house is over four

stories in height there shall be two or more such intakes, one communicating with the street or front yard and one with the yard.

SEC. 15. *Extensions or offsets to courts.*—Extensions or offsets to courts in tenement houses hereafter erected are permitted for the purpose of lighting bathrooms, water-closets, and corridors only, but no such extension or offset shall be less than 6 feet in width in any part; its depth may be less than but never greater than its width. Such dimensions shall be deemed the minimum dimensions for a two-story house and shall increase 1 foot for each story above two stories.

SEC. 16. *Angles in courts.*—Nothing contained in the foregoing sections concerning courts shall be construed as prohibiting the building of walls across the angles of said courts to contain windows: *Provided*, That the running length of the wall containing such windows does not exceed 6 feet.

SEC. 17. *Building on same lot with tenement houses.*—If any building is hereafter placed on the same lot with a tenement house there shall always be maintained between the said buildings an open unoccupied space extending upward from the ground and extending across the entire width of the lot. Such space shall never be less than 25 feet in depth and where either building exceeds three stories in height the depth of such open space shall be increased 5 feet for each story above three stories. And no building of any kind shall hereafter be placed upon the same lot with a tenement house so as to diminish the minimum size of courts or yards as hereinbefore prescribed, except that where an alley not less than 10 feet wide abuts the rear of the lot, a rear building, if not used for tenement house or stable or manufacturing purposes, may be built up to the rear line of the lot: *Provided*, That it does not exceed one story in height and that the space between it and the front building is maintained as required by this section. And if any tenement house is hereafter erected upon any lot upon which there is already another building, it shall comply with all the provisions of this act, and, in addition, the space between the said building and the said tenement house shall be of such size and arranged in such manner as is prescribed in this section, the height of the highest building on the lot to regulate the dimensions.

SEC. 18. *Rear tenements.*—No tenement house shall hereafter be erected upon the rear of a lot where there is a building on the front of the said lot, nor upon the front of any such lot upon the rear of which there is a tenement house or stable or building used for manufacturing purposes. This provision shall not apply to tenement houses abutting on two streets and situated on the outside corner of the lot.

SEC. 19. *Rooms, lighting, and ventilation of.*—In every tenement house hereafter erected every apartment shall have at least one room with a window opening directly upon the street or yard, and every room in such tenement house shall have at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this act, except that kitchenettes, pantries, water-closet compartments, and bathrooms may have such window opening upon an offset to a court, as provided in section 15, and such window shall be so located as properly to light all parts of such rooms.

SEC. 20. *Windows in rooms.*—In every tenement house hereafter erected the total area of the windows between stop beads in each room, including kitchenettes, water-closet compartments, and bathrooms, shall be at least one-seventh of the floor area of the room, and the top of at least one window shall be not less than 7 feet 6 inches above the floor, and the upper half of it shall be made so as to open the full width. No such room shall have less than 12 square feet of window area measured between stop beads, except that in kitchenettes, water-

closet compartments, and bathrooms such windows shall be not less than 6 square feet in area between stop beads.

SEC. 21. Rooms, size of.—In every tenement house hereafter erected there shall be in each apartment at least one room containing not less than 150 square feet of floor area, and every other room, except kitchenettes, water-closet compartments, and bathrooms, shall contain not less than 84 square feet of floor area. All rooms shall be in every part not less than 8 feet 6 inches from the finished floor to the finished ceiling, except that a half-story room need be 8 feet 6 inches in height in but one-half of its area.

SEC. 22. Alcoves and alcove rooms.—In every tenement house hereafter erected an alcove in any room shall be separately lighted and ventilated as provided for rooms in the foregoing sections. No part of any room in a tenement house shall be inclosed or subdivided at any time, wholly or in part, by a curtain, portière, fixed or movable partition, or other contrivance or device so as to make an alcove unless the part of the room so inclosed or subdivided shall contain a separate window, as herein required, and shall have a floor area of not less than 84 square feet.

SEC. 23. Privacy.—In every tenement house hereafter erected, in each apartment, there shall be access to every living room and bedroom, and to at least one water-closet compartment without passing through a bedroom or bathroom or water-closet compartment.

SEC. 24. Public halls, lighting and ventilation of.—In every tenement house hereafter erected every public hall and stair hall shall have at each story at least one window opening directly upon the street or upon a yard or court of the dimensions specified in this chapter. Such window in a public hall shall be at the end of the hall with the natural direction of the light parallel to the hall's axis. Any part of a public hall which is in any way shut off from any other part of the hall shall be deemed a separate hall within the meaning of this section.

SEC. 25. Windows for public and stair halls, size of.—In every tenement house hereafter erected the windows provided to light and ventilate each public hall and stair hall, or part thereof, shall contain not less than 12 square feet clear opening, measured between stop beads. The top of one such window shall be not less than 7 feet 6 inches above the floor, and the upper half thereof shall be made so as to open the full width. A sash door shall be deemed the equivalent of a window in this and the foregoing section: *Provided*, That said door contains a clear opening of the size prescribed for such windows. In every tenement house of three or more stories there shall be in the roof directly over each stair well a ridge ventilator having a minimum opening of 40 square inches and with fixed or movable louvers.

TITLE 2. SANITATION.

SEC. 26. Basement and cellar rooms.—In tenement houses hereafter erected no room in the cellar or basement shall be constructed, altered, converted, or occupied for living purposes unless, in addition to the other requirements of this act, all of the following conditions are complied with: In a cellar no room shall be so occupied unless it is in every part entirely above the finished grade of the adjoining land. Such occupied cellar shall be counted as a story in determining the size of courts and yard. In a basement no room shall be so occupied unless the ceiling in every part is at least 4½ feet above the curb level of the street in front of such room. Every such room shall be an integral part of an apartment containing a room opening directly upon the street or yard. There shall be appurtenant to every such apartment a separate water-closet,

constructed and arranged as required by section 31 of this act. All walls surrounding such room and the floors thereof shall be damp proof.

SEC. 27. Cellars, damp proofing and lighting of.—Every tenement house hereafter erected shall have the cellar floor and the walls below the ground level damp proof. All cellars and basements in such tenement houses shall be properly lighted and ventilated in all their parts to the satisfaction of the board of health.

SEC. 28. Spaces under floors.—In any tenement house hereafter erected, under any part of which there is no cellar, the first story shall be at least 2 feet above the ground beneath and that adjacent thereto, and the space beneath such floor shall be kept free and clear and shall be inclosed to prevent the accumulation of rubbish, but provided with ample ventilation and adequate drainage.

SEC. 29. Drainage of courts, areas, and yards.—In every tenement house hereafter erected all courts, areas, and yards shall be properly graded and drained and connected with the street sewer subject to the provisions of section 6. And when necessary in order to keep such premises in a sanitary condition such courts, areas, or yards, or such part thereof as the board of health shall order, shall be properly paved.

SEC. 30. Sinks.—In every tenement house hereafter erected there shall be provided in each apartment a proper sink.

SEC. 31. Water-closets.—In every tenement house hereafter erected there shall be within each apartment a separate water-closet, located in a bathroom or in a separate compartment: *Provided*, That where there are apartments of but one or two rooms there shall be at least one water-closet for every two such apartments, and such water-closet shall not open into any apartment but shall be accessible through a public hall, and the door thereof shall be provided with lock and keys, and such compartment and water-closet shall comply in all other respects with the provisions of this act. Said compartment shall be not less than 3 feet wide, and shall be inclosed with brick, concrete, stone, tiled, or plastered partitions which shall extend to the ceiling. No wooden sheathing or wainscotting shall be permitted. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum size prescribed by this act. Every water-closet compartment hereafter placed in any tenement house shall be provided with proper means of lighting the same at night. The floor of every such water-closet compartment shall be made waterproof with asphalt, tile, stone, or some other nonabsorbing waterproof material; and such waterproofing shall extend at least 6 inches above the floor so that the floor can be washed or flushed out without leaking. When the water-closet fixture is located in a bathroom the floor directly beneath the fixture and extending at least 1 foot beyond it in each direction shall be waterproofed as above provided. No drip trays shall be permitted. No water-closet fixtures shall be inclosed with any woodwork. No water-closet shall be placed out of doors nor in the cellar of any tenement house, except as provided in section 26 or as an appurtenance to an engine or boiler room or laundry, and then only in case such cellar closet is lighted and ventilated as required herein for a basement room.

SEC. 32. Plumbing.—In every tenement house hereafter erected plumbing fixtures shall not be inclosed with woodwork. All plumbing pipes shall be exposed, except as may otherwise be permitted by the board of health. Wherever plumbing or other pipes pass through floors or partitions they shall pass through metal bushings or casings extending entirely through the floor or partition, and the inner diameter of such bushing or casing shall in no case exceed the outer diameter of such pipe by more than one thirty-second of 1 inch, and such bushings or casings shall be so set in floors or partitions as to be externally

air-tight. All plumbing work shall be sanitary in every particular and, except as otherwise specified in this act, shall be in accordance with the local plumbing regulations. Pan and long hopper closets are hereby prohibited.

SEC. 33. *Water connections.*—In every tenement house hereafter erected all sinks and water-closets shall be provided with an adequate supply of running water as approved by the board of health.

SEC. 34. *Privies and privy vaults.*—No privy or privy vault shall be permitted on the same lot with any tenement house hereafter erected.

(Title 3, secs. 35 to 48, inclusive, relates to fire protection.)

PART III.

IMPROVEMENTS.

SEC. 49. *Rooms, lighting and ventilating of.*—No room or alcove in a tenement house erected prior to the acceptance of this act shall hereafter be occupied for living purposes unless it shall have a window with an area of not less than 10 square feet between stop beads opening directly upon the street, or upon a yard not less than 10 feet deep, or above the roof of an adjoining building, or upon a court of not less than 30 square feet in area, open to the sky without roof or skylight.

SEC. 50. *Public halls, lighting and ventilating of.*—In every tenement house erected prior to the acceptance of this act, the public halls and stairs shall be provided with sufficient light to permit the reading of 12-point type in the daytime in any part thereof. Light and ventilation in such halls shall be from the outer air, except when in the opinion of the building inspector it is impracticable, in which case the lighting and ventilation shall be such as to meet the approval of the board of health.

All new skylights hereafter placed in such a house shall be provided with ridge ventilators having a minimum opening of 40 square inches, and also with either fixed or movable louvres, or with movable sashes, and shall be of such size as may be determined to be practicable by the building inspector.

SEC. 51. *Sinks.*—In every tenement house erected prior to the acceptance of this act, the woodwork inclosing sinks placed in the public halls or stairs shall be removed and the spaces underneath shall be left open. The floors and wall surfaces beneath and around the sink shall be put in good order and repair, and if of wood shall be well painted with light-colored paint.

SEC. 52. *Water-closets.*—In every tenement house erected prior to the acceptance of this act the woodwork inclosing every water-closet fixture shall be removed, and the space underneath the seat shall be left open. The floor and other surfaces beneath and around the closet shall be put in good order and repair, and if of wood shall be well painted with light-colored paint.

SEC. 53. *Privy vaults, school sinks, and water-closets.*—In every tenement house erected prior to the acceptance of this act, where a connection with a sewer is possible, all cesspools, school sinks, privy vaults, or other similar receptacles used to receive fecal matter, urine, or sewage shall, within one year after the acceptance of this act, be completely removed and the places where they were located properly disinfected under the direction of the board of health. Such appliances shall be replaced by individual water-closets of durable non-absorbent material, properly sewer-connected, with individual traps and properly connected flush tanks providing an ample flush of water thoroughly to cleanse the bowl. Each water-closet shall be located inside the tenement house in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than 3 square feet in area opening directly

upon the street, or yard, or on a court of which the least dimension is not less than 3 feet and the area not less than 15 square feet. The floors of the water-closet compartment shall be waterproof, as provided in section 31 of this act. There shall be provided at least one water-closet for each apartment in every tenement house existing on the day when this act takes effect, unless, in the opinion of the building inspector, this shall be impracticable; but in no case shall there be less than one water-closet for every two apartments. Such water-closets and all plumbing in connection therewith shall be sanitary in every respect, and, except as in this section otherwise provided, shall be in accordance with the laws, ordinances, and regulations in relation to plumbing and drainage. Pan and long hopper closets shall not be permitted.

SEC. 54. *Basements and cellars.*—Any part of a floor or wall below the adjoining grade, and in any case the lowest floor, shall be damp proof and, when necessary, shall be concreted with a finished surface. The cellar ceiling of every tenement house shall be plastered when so required by the building inspector, except where such ceiling is already well covered with a metal ceiling or where the first floor above the cellar is constructed of iron beams and fireproof filling.

SEC. 55. *Shafts and courts.*—In every tenement house there shall be at the bottom of every shaft and court a door giving sufficient access to such shaft or court to enable it to be properly cleaned out: *Provided*, That where there is already a window giving proper access to such shaft or court such window shall be deemed sufficient.

(Sections 56 and 57 relate to fire protection.)

PART IV.

ALTERATIONS.

SEC. 58. *General provisions.*—No tenement house erected prior to the acceptance of this act shall at any time be altered so as to be in violation of the requirements of Part II, except as hereinafter provided.

(1) Any additional room or hall that is hereafter constructed or created in a tenement house shall comply in all respects with the provisions of Part II of this act, except that such rooms may be of the same height as the other rooms in the same story of the house.

(2) All shafts shall be constructed fireproof throughout, with fireproof self-closing doors at all openings, at each story; and, if they extend to the cellar, shall also be inclosed in the cellar with fireproof walls and fireproof self-closing doors at all openings. In no case shall any shaft be constructed of materials in which any inflammable material or substance enters into any of the component parts. But nothing contained in this section shall be so construed as to require such inclosures about elevators or dumb-waiters in the wellhole of stairs where the stairs themselves are inclosed in brick or stone walls and are entirely constructed of fireproof materials, as hereinbefore provided.

(3) No tenement house of third-class construction containing more than two apartments shall hereafter be enlarged or extended, except that a wooden extension not exceeding in total area 70 square feet may be added to an existing wooden tenement house, provided that such extension is used solely for bathrooms or water-closets.

PART V.

MAINTENANCE.

SEC. 59. *Public halls, lighting of, in the daytime.*—In every tenement house where the public halls and stairs are not, in the opinion of the board of health, sufficiently lighted, the owner of the house shall keep a proper light burning

in the hallway, near the stairs, upon each floor, as may be necessary, from sunrise to sunset.

SEC. 60. *Public halls, lighting at night.*—In every tenement house occupied by more than two families a proper light shall be kept burning by the owner in the public hallways, near the stairs, upon the entrance floor, and upon the second floor above the entrance floor of the house, every night from sunset to sunrise throughout the year, and upon all other floors of the said house from sunset until 10 o'clock in the evening.

SEC. 61. *Water-closets in cellars.*—No water-closet shall be permitted in the cellar of any tenement house, except as provided in sections 26 and 31.

SEC. 62. *Water-closet accommodations.*—In every tenement house existing prior to the acceptance of this act there shall be provided at least one water-closet for every two apartments.

SEC. 63. *Basement and cellar rooms.*—Hereafter in tenement houses erected prior to the acceptance of this act no room in the cellar shall be occupied for living purposes except as provided in section 26. And no room in the basement of such houses shall be so occupied, unless all the following conditions are complied with: Every such room shall be at least 8 feet high in every part from the floor to the ceiling, and the ceiling in every part shall be at least 4½ feet above the curb level of the street or the level of the yard or court in front of such room. There shall be appurtenant to every such room the use of a water-closet. Every such room shall have a window opening, as provided in section 51, of at least 12 square feet in size clear of the sash frame, and which shall open readily for purposes of ventilation. The lowest floor shall be water-proof and damp proof. Every such room shall have sufficient light and ventilation, shall be well drained and dry, and shall be fit for human habitation.

SEC. 64. *Water-closets and sinks.*—In all tenement houses the floor or other surface beneath and around water-closets and sinks shall be maintained in good order and repair, and if of wood shall be kept well painted with light-colored paint.

SEC. 65. *Repairs.*—Every tenement house and all the parts thereof shall be kept in good repair, and the roof shall be kept so as not to leak, and all rain water shall so be drained and conveyed therefrom as to prevent dampness in the walls, ceilings, yards, or areas.

SEC. 66. *Water supply.*—Every tenement house shall have water furnished in sufficient quantity at one or more places in each apartment. The owner shall provide proper and suitable tanks, pumps, or other appliances to receive and distribute an adequate and sufficient supply of water at each apartment in the said house at all times of the year during all hours of the day and night. But a failure in the general supply of water furnished by the city authorities or from the freezing or bursting of pipes shall not be construed to be a failure on the part of such owner, provided that proper and suitable appliances to receive and distribute water have been provided in the said house.

SEC. 67. *Cleanliness of buildings.*—The owner of every tenement house shall cause every part of such tenement house to be kept clean and free from any accumulation of dirt, filth, and garbage or other refuse matter, in or on the same, or in the cellars, halls, passages, rooms, areas, yards, courts, and spaces appurtenant thereto. The owner shall thoroughly cleanse every part of a tenement house, whenever ordered so to do by the board of health.

SEC. 68. *Walls of courts.*—The walls of all courts, except those opening on a street, unless built of a light-colored brick or stone, shall be thoroughly whitened by the owner, or shall be painted a light color by him, and shall so be maintained. Such whitening or paint shall be renewed whenever necessary as may be required by the board of health.

SEC. 69. *Walls and ceilings of rooms.*—In all tenement houses the board of health may require the walls and ceilings of every room that does not open directly on the street to be whitened or painted with white paint when necessary to improve the lighting of such room, and may require this to be renewed as often as may be necessary.

SEC. 70. *Wall paper.*—No wall paper shall be placed upon the wall or ceiling of any tenement house unless the wall or ceiling has been thoroughly cleaned.

SEC. 71. *Receptacles for ashes, garbage and rubbish.*—The owner of every tenement house shall provide and maintain therefor suitable, covered, water-tight receptacles for ashes, rubbish, garbage, refuse and other like matter.

SEC. 72. *Prohibited uses.*—No swine shall be kept in a tenement house, or on the same lot therewith. No horse, cow, calf, sheep, goat, or fowl shall be kept in a tenement house, or on the same lot therewith within 25 feet of the tenement house. No tenement house, or the lot upon which it is situated, shall be used for the storage or handling of rags, nor as a place of public assemblage.

SEC. 73. *Combustible materials.*—No tenement house, and no part thereof, or of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health, nor for the storage, keeping, or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, rags, or other easily combustible articles.

SEC. 74. *Bakeries and fat boiling.*—No bakery and no place of business in which fat is boiled shall be maintained in any tenement house.

SEC. 75. *Other dangerous businesses.*—There shall be no transom, window, or door opening into a hall from any part of a tenement house where paint, oil, spirituous liquors, or drugs are stored for the purpose of sale or otherwise.

SEC. 76. *Janitor or housekeeper.*—For any tenement house in which the owner thereof does not reside, there shall be a janitor, housekeeper, or other responsible person who shall have charge of the same if the board of health shall so require.

SEC. 77. *Overcrowding.*—If a room in a tenement house is overcrowded, the board of health may order the number of persons sleeping or living in said room to be so reduced that there shall not be less than 400 cubic feet of air to each adult and 300 cubic feet of air to each child under 12 years of age occupying the room.

SEC. 78. *Lodgers.*—No tenement house and no part thereof shall be used for the letting of lodgings unless the person letting the same shall first file a notice in writing of the proposed letting in the office of the board of health, nor shall any person not a member of the family be taken to live within an apartment occupied by any family without such written notice. It shall be the duty of the owner of a tenement house to see that the provisions of this section are at all times complied with, and a failure so to comply on the part of any tenant, after due and proper notice from the owner, shall be deemed sufficient cause for the summary eviction of such tenant and the cancellation of his lease.

SEC. 79. *Repairs to buildings, etc.*—Whenever any tenement house or building, structure, excavation, business pursuit, matter, or thing, in or about a tenement house, or the lot on which it is situated, or the plumbing, sewerage, drainage, light, or ventilation thereof, is, in the opinion of the board of health, in a condition or in effect dangerous or detrimental to life or health, the board may declare that the same, to the extent which it may specify, is a public nuisance, and may order the same to be removed, abated, suspended, altered, or otherwise improved or purified, as the order shall specify. The board may also order or cause any tenement house or part thereof, or any excavation, building, structure, sewer, plumbing, pipe, passage, premises, ground, matter, or thing, in or about a tenement house, or the lot on which it is situated, to be purified,

cleansed, disinfected, removed, altered, repaired, or improved. If any order of the board is not complied with, within 10 days after the service thereof, or within such longer or shorter time as the board may designate, then such order may be executed by said board through its officers, agents, employees, or contractors.

SEC. 80. *Infected and uninhabitable houses to be vacated.*—Whenever it shall be certified by an inspector or officer or agent of the board of health that a tenement house, or any part thereof, is infected with contagious disease, or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said house, the board may issue an order requiring all persons therein to vacate such house, or part thereof, within not less than 24 hours nor more than 10 days, for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the board may cause said tenement house or part thereof to be vacated. The board whenever it is satisfied that the danger from said house or part thereof has ceased to exist, or that it is fit for human habitation, may revoke said order, or may extend the time within which to comply with the same.

(Sections 81 and 82 relate to fire protection.)

PART VI.

REQUIREMENTS AND REMEDIES.

SEC. 83. In a city which accepts the provisions of this act and in which the office of building inspector or a similar office does not exist, the mayor shall annually appoint an inspector of buildings.

SEC. 84. *Permit to commence building.*—Before the construction or alteration of a tenement house, or the alteration or conversion of a building for use as a tenement house, is begun, and before the construction or alteration of any building or structure on the same lot with a tenement house, the owner shall submit to the building inspector a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for such tenement house or building, upon blanks or forms to be furnished by such inspector, and also full and complete copies of the plans of the work, together with a plan of the lot on which the same is or is to be situated, showing the location, character, and size of all buildings thereon, and the exact dimensions of said lot, together with its description by metes and bounds. The said statement shall give in full the name and residence, by street and number, of the owner or owners of the tenement house or other building. If such construction, alteration, or conversion is proposed to be made by any other person than the owner of the land in fee, the statement shall contain the full name and residence, by street and number, not only of the owner of the land, but of every person interested in the tenement house, either as owner, lessee, or in any representative capacity. The affidavit shall allege that said specifications and plans are true and contain a correct description of such tenement house or other building, structure, lot, and proposed work. The statements and affidavit herein provided for may be made by the owner, or by the person who proposes to make the construction, alteration, or conversion, or by his agent. No person, however, shall be recognized as the agent of the owner unless he shall file with the building inspector a written instrument, signed by the owner, designating him as such agent. Any false swearing in a material point in any such affidavit shall be deemed perjury. The said specifications, plans, and statements shall be filed in the office of the build-

ing inspector and shall be public records, and no such specifications, plans, or statements shall be removed from the said office. The building inspector shall cause all such plans and specifications to be examined.

If such plans and specifications conform to the provisions of law, they shall be approved, in writing, by the building inspector, and he may from time to time approve changes in any plans and specifications, provided that the plans and specifications so altered are in conformity with law; but the building inspector shall not approve any plans or specifications or any changes in the same until the board of health has certified that the said plans and specifications conform to the law relative to light, ventilation, and sanitation. The construction, alteration or conversion of such tenement house, building, or structure, or any part thereof, shall not be begun until the filing of the said specifications, plans and statements, and the approval thereof, as above provided. The construction, alteration, or conversion of any such house, building, or structure shall be in accordance with the said approved specifications and plans. Any permit or approval which may be issued by the building inspector, but under which no work has been done above the foundation walls within one year after the issuance of the permit or approval, shall expire by limitation. Said inspector shall have power to revoke or cancel any permit or approval in case of any failure or neglect to comply with any provision of this act, or in case any false statement or representation was made in any specifications, plans, or statements submitted or filed for such permit or approval.

SEC. 85. *Approval of construction.*—No building hereafter constructed as or altered into a tenement house shall be occupied in whole or in part for human habitation until the building conforms in all respects to the requirements of law. Upon notice of the completion of the construction, alteration or conversion of a tenement house, it shall be the duty of the building inspector and of the board of health to inspect the building forthwith, and it shall not be occupied as a place of habitation unless it conforms to the requirements of this act.

SEC. 86. *Procedure and penalties.*—Any court having jurisdiction in equity, or any justice thereof, shall upon the application of the city solicitor, building inspector, or the board of health of any city have jurisdiction in equity to restrain the construction, alteration, repair, maintenance, use, or occupation of a building or other structure in violation of the provisions of this act and to order its removal or abatement as a nuisance, and to compel compliance with any provision of this act.

SEC. 87. A building or other structure which is erected, altered, maintained, or used in violation of the provisions of this act shall be deemed a common nuisance without other proof thereof than proof of such unlawful construction, maintenance, or use, and the board of health may, if such violation is of any section of this act relative to light, ventilation, and sanitation, and the building inspector may, if said violation is of any other provision of this act, order the owner of said premises at his own expense to abate or remove said nuisance within 24 hours, or within such further time as said board of health or said building inspector, as the case may be, considers reasonable, after notice to be served in the manner provided in section 94; and if the owner or occupant fails to comply with such order, the board may abate or remove the nuisance, and all expenses incurred thereby shall be paid by the person who caused or permitted the same.

SEC. 88. Whoever violates any provision of this act shall be punished by a fine of not less than \$10. Any person who violates any provision of this act after he has been served with a notice or order as provided by section 94, or who fails to comply with such notice or order within 10 days after such service,

or continues to violate any provision or requirement of this act in the respect named in such notice or order, shall be subject to an additional fine of not less than \$5 and not more than \$20 for each day after the first day during which the violation continues.

SEC. 89. Any person the value of whose property may be affected by any action of the board of health or of the building inspector may have the action of said board or inspector reviewed by the superior court by any appropriate process: *Provided*, That proceedings are instituted within 20 days after such action.

SEC. 90. Any person having any duty to perform in regard to any building or premises under the provisions of this act may, if it be necessary for the performance of such duty, enter any building or premises.

SEC. 91. *Liens*.—Every fine imposed by judgment under section 88 of this act upon a tenement house owner shall be a lien upon the house in relation to which the fine is imposed from the time of the filing of a certified copy of the judgment in the office of the register of deeds for the county or district in which the tenement house is situated, subject only to taxes, assessments, and water rates and other existing lawful incumbrances; and it shall be the duty of the board of health and the building inspector, upon the entry of said judgment, forthwith to file the copy as aforesaid, and the copy, upon such filing, shall forthwith be properly indexed by the register of deeds.

SEC. 92. *Lis pendens*.—In any action or proceeding instituted by the officer or department charged with the enforcement of this act, the plaintiff or petitioner may file in the office of the register of deeds for the county or district where the property affected by such action or proceeding is situated a notice of the pendency of the action or proceeding. The register of deeds with whom the notice is filed shall record it, and shall index it under the name of each person against whom said proceeding is instituted. Any such notice may be vacated by the order of a justice of the court in which the action or proceeding was instituted or is pending. The register of deeds of the county or district where the notice is filed is hereby directed to mark the notice and any record or docket thereof as canceled of record upon the presentation and filing of a certified copy of such order.

SEC. 93. *Registry of owner's name*.—Every owner of a tenement house and every lessee of the whole house, or other person having control of a tenement house, shall file with the board of health a notice containing his name and address, and also a description of the property, by street and number or otherwise, as the case may be, in such manner as will enable the said board easily to find the same; and also the number of rooms in each apartment, and the number of families occupying the apartments. When the owner or agent is not a resident of the city the notice shall contain the name and address of some agent residing within the city for the purpose of receiving service of process, and notice to and service of process upon such agent shall bind the principal. Blanks for the said registration shall be provided by the board of health.

SEC. 94. *Service of notices and orders*.—Unless otherwise provided in this act, every notice or order in relation to a tenement house shall be served 10 days before the time for doing the thing in relation to which it is issued. The service of a notice or order as aforesaid shall be made by the delivery of an attested copy in hand to the owner or his agent, or by leaving an attested copy at the last or usual place of abode of the owner or agent, or, if the owner is a non-resident and has no agent duly appointed, it shall be placed in a conspicuous place in said tenement house and a copy thereof mailed by a registered letter, on the same day on which it is posted, to the owner or his agent at his residence.

SEC. 95. *Service of summons.*—In any action brought by any city official in relation to a tenement house for injunction, vacating of the premises, or other abatement of nuisance, or to establish a lien thereon, service of process shall be in the manner provided in the preceding section, except that the service of process shall be made only by a sheriff or one of his deputies or by a constable.

SEC. 96. *Indexing names.*—The names and addresses filed in accordance with section 93 shall be indexed by the board of health in such a manner that all of those filed in relation to each tenement house shall be together, and readily ascertainable. The board of health shall provide the necessary books and clerical assistance for that purpose, and the expense thereof shall be paid by the city. Said indexes shall be public records, open to public inspection during business hours.

SEC. 97. *Laws repealed.*—All acts and parts of acts inconsistent herewith are hereby repealed, and upon acceptance of this act by any city all ordinances of such city inconsistent herewith are hereby annulled.

SEC. 98. *When to take effect.*—This act shall not apply to the city of Boston, but it shall take effect in any other city upon its acceptance by a majority vote of the members of each branch of the city council or corresponding body of that city, present and voting thereon, and upon the approval of the mayor.

MICHIGAN.

Ophthalmia Neonatorum—Prevention of. (Act 88, Apr. 29, 1913.)

SECTION 1. It shall be the duty of the State board of health to officially name and approve a prophylaxis to be used in treating the eyes of newly born infants, and it shall be the duty of the board to publish instructions for using the same.

SEC. 2. It shall be the duty of any physician, nurse, or midwife who shall assist and be in charge at the birth of any infant, or have care of the same after birth, to treat the eyes of the infant with a prophylaxis approved by the State board of health; and such treatment shall be given as soon as practicable after the birth of the infant and always within one hour; and if any redness, swelling, inflammation, or gathering of pus shall appear in the eyes of such infant or upon the lids or about the eyes within two weeks after birth, then any nurse, midwife, or other person having care of the infant shall report the same to some competent practicing physician within six hours of its discovery.

SEC. 3. Any failure to comply with the provisions of section 2 of this act shall be punishable by a fine not to exceed \$100 or imprisonment in the county jail not to exceed six months, or both such fine and imprisonment, in the discretion of the court.

SEC. 4. Act No. 43 of the public acts of 1895, approved March 29, 1895, the same being compiler's sections Nos. 4475 and 4476 of the Compiled Laws of 1897, is hereby repealed.

Mental Defectives—Sterilization of Those in Public Institutions to Prevent Procreation. (Act 19, Apr. 1, 1913.)

SECTION 1. Authority is given to the management of any institution maintained wholly or in part by public expense, in whose custody may be held individuals who have been by a court of competent jurisdiction adjudged to be and who are mentally defective or insane, to render incapable of procreation, by vasectomy or salpingectomy or by the improvement of said surgical operation which is least dangerous to life and will best accomplish the purpose, any person who is mentally defective or insane.

SEC. 2. The boards of the aforesaid institutions and the physicians or surgeons in charge of each of said institutions shall for each of their respective institutions constitute a board the duty of which shall be to examine such inmates of said institutions as are reported to them by the warden or medical superintendent to be persons by whom procreation would be inadvisable. Such board shall receive the report of insanity experts hereinafter mentioned, examine the physical and mental condition of such persons and their record and family history so far as the same can be ascertained, and if in the judgment of a majority of said board procreation by any such person would produce children with an inherited tendency to insanity, feeble-mindedness, idiocy, or imbecility, and there is no probability that the condition of such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then said board shall direct a competent physician or surgeon, with such other assistants as may be necessary, to perform the operation of vasectomy or salpingectomy or any other operation or improvement on vasectomy or salpingectomy recognized by the medical profession, as the case may be, upon such person. Such operation shall be performed in a safe and humane manner, and the board making such examination and the institution physician or surgeon shall receive no extra compensation therefor: *Provided*, That at least 30 days' notice shall be

given to the parents or guardian of such person before the performing of such operation, said notice to specify the purpose, time, and place of such examination: *Provided further*, That when said parents or guardian object to the performance of such operation, then the question of the sanity of such person shall be referred to the probate court of the county in which the institution is located, where the question of the sanity and the necessity for this operation shall be determined as in other insane cases before such courts.

SEC. 3. In case an institution has no physician at its head, authority is given to the board of managers to cause such operation to be performed, to hire expert physicians to examine and report on the condition of the subject, and to perform the operation, with such other assistants as may be necessary: *Provided*, That before said operation is ordered there shall first be secured from two physicians having qualifications prescribed by law for examiners in insanity a written statement or report that such operation is desirable in the interests of the patient or the good of the community: *And provided further*, That these physicians shall be allowed for their services the compensation fixed by statutes for the examination and certification of an insane person. The several sums necessary to carry out the provisions of this act shall be certified to be correct by the respective boards and shall be paid out of the general fund of the State upon the warrant of the auditor general.

SEC. 4. In relation to each individual person sterilized under the provisions of this act, the board of control of the institution in which said person is an inmate shall file with the State Board of Public Health of Michigan a written record setting forth the name, age, sex, nationality, type, or class of mental defectiveness of said person, the nature of the operation performed, the subsequent mental and physical condition as affected by said operation: *Provided*, That said records shall not be for public inspection, but may be open to inspection of the members of the board of control of the aforesaid institutions and of the members of the immediate family of the person operated upon, or any physician or surgeon designated by them.

SEC. 5. Except as authorized by this act, every person who shall perform, encourage, assist in, or otherwise promote the performance of either of the operations described in section 1 of this act for the purpose of destroying the power to procreate the human species, or any person who shall knowingly permit either of such operations to be performed upon such person, unless the same shall be a medical necessity, shall be guilty of a felony, and upon conviction thereof shall be fined not more than \$1,000 or imprisoned in the State prison not more than five years, or both, in the discretion of the court before whom the said person or persons were so convicted.

Waterworks and Sewage-Disposal Systems—Supervision and Control by State Sanitary Engineer. (Act 59, Apr. 22, 1913.)

SECTION 1. The State board of health is hereby given supervisory and visitorial power and control as limited in this act over all corporations, both municipal and private, partnerships, and individuals engaged in furnishing water to the public for household or drinking purposes, and over the plants and systems owned or operated by such municipal or private corporations, partnerships, or individuals. The word "corporation," as hereinafter used in this act, shall be taken to mean and include municipal corporations as well as private corporations.

SEC. 2. The State board of health, its agents and representatives, shall have the power and authority to enter upon, at all reasonable times, the pumping plants, filtering plants, reservoirs, standpipes, cribs, and other property of such corporations, partnerships, or individuals for the purpose of inspecting the same and carrying out the authority vested in them by this act.

SEC. 3. The State board of health shall have authority to make and enforce such rules and regulations as it may deem necessary governing and providing a method of

conducting and operating the entire or any part of the systems of waterworks, including the filtration plants owned or operated by such corporations, partnerships, or individuals, and may make and enforce penalties for the noncompliance with such rules and regulations; and said board shall, in addition to the other powers vested in it, whenever it shall deem it necessary for the protection of health, have authority to direct such corporations, partnerships, or individuals operating waterworks systems to cleanse any portion of such systems as it may deem necessary and to operate the same in such manner as to furnish pure and wholesome water and to enforce such directions by rule or regulations.

SEC. 4. Whenever the mayor of a city, president of a village, supervisor of a township, health officer, or representative of the State board of health has reason to believe that the water furnished by any corporation, partnership, or individual is contaminated, then it shall be the duty of the State board of health, upon the request of such officer, to investigate the same and to determine by laboratory analysis the condition of said water, and the certificate of the State bacteriologist, showing result of such analysis, shall be prima facie evidence of the matters stated in such certificate and also as to the source of the water and the time and place of taking, and of all matters that may be stated in said certificate.

SEC. 5. The expenses of the investigation and analysis made by the State board of health shall be borne by the locality and shall be paid for at the rate of \$5 per day and necessary traveling expenses while making such investigation and analysis, and shall constitute a charge against the city, village, or township asking for such investigation, the said per diem to be covered into the State treasury to the credit of the State board of health laboratory fund in addition to the amount already appropriated.

SEC. 6. It shall be the duty of the mayor of each city, the president of each village, and of all private corporations, partnerships, or individuals now or hereafter operating waterworks systems in this State, to file with the State board of health a true and correct copy of the plans and specifications of the entire system owned or operated by such corporation, partnership, or individual, including such filtration or other purification plant as may be operated by them in connection therewith, and also plans and specifications of all alterations, additions, or improvements to such systems which may be made from time to time. The plans and specifications herein referred to shall, in addition to all other things, show all the sources through or from which water is or may be at any time pumped or otherwise permitted or caused to enter into such system. Such plans and specifications shall be certified by the mayor and city engineer of city corporations, by the president and engineer, if one is employed, for village corporations, and by such proper officer and the engineer employed by a private corporation for private corporations, and by some individual member of a partnership, or by the individual owner in case of waterworks owned and operated by partnerships or individuals, including the engineer employed, if any. If within 60 days after any corporation, partnership, or individual shall commence to operate, or within 60 days after any alterations, additions, or improvements shall be made by such corporation, partnership or individual, and municipal officer or other person whose duty it is to file the same under the provisions of this act, shall willfully fail to file a copy of the plans and specifications as provided herein, or shall knowingly file false or incomplete copies of such plans and specifications, such officer or person shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not less than \$25 and not more than \$100, or to imprisonment in the county jail not more than 30 days, or to both such fine and imprisonment, and in addition thereto shall be subject to a penalty of \$25 for each and every day such person or officer shall fail or neglect to file such plans and specifications, which penalty may be collected in any court of competent jurisdiction on the complaint of any member of the State board of health, and it shall be the duty of the attorney general to prosecute such complaint, and any penalties recovered shall be deposited in the general fund of the State.

SEC. 7. The words "plans and specifications" as used in this act shall be construed to mean a true description or representation of the entire system operated by such corporation, partnership, or individual as the same shall be actually in use at the time of filing the same, and also a full and fair statement of how the same is operated: *Provided*, That any corporation, partnership, or individual that has already filed with the State board of health such plans and specifications as are required by section six of this act, shall not be required to file such plans and specifications.

SEC. 8. In case of corporations, partnerships, or individuals operating filtration plants in which there are beds or other appliances to be cleansed, it shall be the duty of such corporations, partnerships, or individuals to file with the State board of health an annual report under oath on or before the first day of January in each year, showing the dates on which and the number of times such beds or appliances were cleansed during the preceding year. Such report shall be sworn to by any municipal officer or person acquainted with the facts and employed by such corporation, partnership, or individual at the time of making said report. Any person making a false statement in such annual report shall be deemed guilty of and be subject to the penalty of perjury.

SEC. 9. Any corporation other than municipal, any partnership company or individual, or any officer of any municipal corporation having the duty imposed upon him by this act, who shall violate any provision of this act where no other penalty is provided therein, shall be guilty of a misdemeanor and shall be punished therefor as provided by law.

SEC. 10. It shall be the duty of the State board of health, on receipt of the plans and specifications of such waterworks systems, to inspect the same with reference to their effect upon the public health, and if such board on such inspection finds that the public water supply of any such city or village is impure and dangerous to individuals or to the public generally, the said board on its order may require the corporation, partnership, or individual owning and operating the same to make such alterations in such waterworks systems as may be required or advisable in the opinion of said board, in order that the water supply may be healthful and free of pollution. Such recommendations or orders of the State board of health shall be served in writing upon such corporations, partnerships, or individuals, and it shall thereupon be the duty of such corporations, partnerships, or individuals to comply with such recommendations or orders.

SEC. 11. The State board of health shall have the same power of visitation, inspection, direction, and control over the sewage-disposal systems of the cities and villages of this State as is herein given with respect to the waterworks systems. The mayor of each city and the president of each village shall file with the secretary of the State board of health, on or before the 1st day of January, 1914, a true and correct description of the entire sewerage system owned by the municipality. It shall be the duty of the State board of health, on receipt of such plans and specifications, to inspect the same with reference to their effect upon the public health, and if such board on such inspection finds that such sewerage systems or any parts thereof are dangerous to individuals, or to the public health generally, the said board on its order may require such alterations in such systems as may be required or advisable in the opinion of such board: *Provided*, That nothing herein contained shall be construed to grant any power to prevent any municipality now disposing of its sewage into any river from continuing so to do. Such recommendations or orders shall be served in writing upon the clerk of the city or village, and thereupon it shall be the duty of such city or village to make such alterations, changes, or additions to its sewerage system as shall have been so recommended or ordered by said board. Such orders may be reviewed or enforced by any court of chancery or other court having jurisdiction.

SEC. 12. The State board of health is hereby authorized and empowered to employ a sanitary engineer, who shall be known by the title of State sanitary engineer, who shall

give his full time, under the direction of the State board of health, to the visitation, inspection, and investigation of the waterworks systems, sewage-disposal systems, garbage-disposal systems in the cities and villages of this State, and to such other matters as the State board of health may direct. He shall be paid a salary of a sum not to exceed \$3,000 per annum, and his expenses for traveling and clerk hire, under the direction of the State board of health, to be paid out of the general fund of the State, the same to be audited as provided by law on the approval of the secretary of the State board of health. He shall at all times be subject to the orders of and removal by the State board of health.

SEC. 13. Act No. 28 of the public acts of 1909 is hereby repealed.

Nuisances—Abatement of. (Act 71, Apr. 22, 1913.)

SECTION 1. Section 10 of chapter 35 of the Revised Statutes of 1846, entitled "Of the preservation of the public health; quarantine, nuisances, and offensive trades," being compiler's section 4419 of the Compiled Laws of 1897, is hereby amended to read as follows:

"SEC. 10. If the owner or occupant shall not comply with such order of the board of health, such board may cause the said nuisance, source of filth, or cause of sickness to be removed and all expenses incurred thereby shall be paid by the said owner of such premises. If the owner of said premises shall refuse on demand of said board of health to pay such expenses so incurred, any sums so paid shall be assessed against such property and shall be collected and treated in the same manner as are taxes assessed under the general laws of the State. If the occupant or any other person shall have caused or permitted said nuisance to exist he shall be liable to the owner of said premises for any amount so paid by such owner or assessed against said property, which amount shall be recoverable in an action at law."

MINNESOTA.

Morbidity Reports—Quarantine—Disinfection. (Reg. Bd. of H., Nov. 19, 1913.)

Pursuant to the Revised Laws of 1905 and special laws the following diseases are hereby declared by the Minnesota State board of health to be "communicable diseases," and regulations having the force of law have been adopted for the control of these diseases among humans, as follows:

REGULATIONS OF GENERAL APPLICATION TO COMMUNICABLE DISEASES.

300. Immediate notification by telegram or telephone shall be given by the attending physician to the division of epidemiology of the State board of health (University Campus, Minneapolis), when called to a case or suspected case of—

Actinomycosis.

Anthrax (also see chap. 21, Laws 1913 ¹).

Dengue.

Asiatic cholera.

Dysentery:

(a) Amebic.

(b) Bacillary.

Glanders.

Hookworm disease.

Leprosy.

Malaria.

Paragonimiasis.

Paratyphoid fever.

Pellagra.

Plague.

Rabies (human cases and exposed persons
(also see chap. 541, Laws 1913 ²).

Rocky Mountain spotted fever or tick
fever.

Trichinosis.

Typhus fever.

Yellow fever.

NOTE.—Since these are rare diseases in Minnesota, no other regulations have been adopted (except for rabies), but every case will be investigated by the State board of health and necessary orders concerning the control of the disease will be issued to the local health authorities by the executive officer of the State board of health.

Or when a death occurs from any of these diseases.

301. Immediate notification by the regular reporting post card or special blank provided shall be made by the attending physician (or other person as specified) to the local health officer in cities and villages and to the chairman of the board of supervisors in townships of each case or suspected case of—

Anterior poliomyelitis.

Cerebrospinal meningitis.

Chicken-pox.

Diphtheria (laryngeal croup, membra-
nous croup).

Erysipelas.

Measles.

Ophthalmia neonatorum.

Rabies ³ (person exposed to, etc.).

Scarlet fever (scarlatina, scarlet rash).

Smallpox.

Trachoma.

Tuberculosis.

Typhoid fever.

Whooping cough.

NOTE.—These diseases are under the control of the local health officer, who is governed by the regulations of the State board of health and by local ordinance.

302. The superintendent of each State institution shall report every case of communicable disease occurring among the inmates or employees of the institution to the division of epidemiology of the State board of health (University Campus, Minne-

¹ Page 255.

² Page 262.

³ See also chap. 541, Laws of 1913, in re control of rabies in animals (p. 262), and regulation 300, in re telegraphic reports of human cases.

apolis) as well as to the health officer of the district, within 24 hours after the disease is discovered. The rules of the State board of health relative to communicable diseases shall govern the superintendent in his methods of procedure.

303. Whenever a local health officer is informed, or has reason to suspect, that there is a case of one of the communicable diseases in the territory over which he has jurisdiction, he shall investigate immediately and employ the quarantine or sanitary measures directed by the Minnesota State board of health in dealing with such cases.

A report of each case and of the sanitary measures employed and of the release of quarantine shall be made by the local health officer to the division of epidemiology, State board of health (University Campus, Minneapolis).

304. No person or persons shall alter, deface, remove, destroy, or tear down any posted notice relating to a communicable disease. The occupant or person having possession or control of a building upon which such a notice has been posted shall be held responsible for the unauthorized removal of such notice, and shall, within 24 hours after the destruction or unauthorized removal of such notice, notify the sanitary officer of the district of such removal or destruction.

305. Any person who is infected with diphtheria, scarlet fever, smallpox, trachoma, tuberculosis, or typhoid fever and is residing in a common lodging house, boarding house, or hotel, shall be removed therefrom under the supervision of the local health officer to a suitable hospital or place of quarantine, if necessary in order to prevent exposure of other persons to infection. In such cases, if an infected person can not be removed without danger to his or her health, the local health officer shall make provisions for the care of such individual in the house where he or she may be found and may cause other persons in the house to be removed therefrom after having been submitted to the necessary disinfection.

306. No house, building, vessel, or vehicle, or any part thereof occupied by a person ill with a communicable disease, and no article that has been exposed to infection through contact with such persons or their discharges, shall be used by other persons until adequate cleansing of same has been carried out under the direction of the local health officer.

307. When furniture, bedding, clothing, or other articles that have been exposed to infection through contact with infected persons, can not be disinfected, such articles may be destroyed by order of the local board of health at the expense of the sanitary district concerned.

308. Whenever the order or direction of the local health officer requiring disinfection or cleansing of articles, premises, or apartments shall not be complied with, he shall cause a placard in words and form as follows, to be placed upon the door of such apartments or premises, to wit:

NOTICE.

— is a communicable disease.

These apartments have been occupied by a ——— patient and may be infected. They must not be occupied until the order of the health officer directing their renovation and disinfection has been complied with.

This notice must not be removed under penalty of law except by the health officer or an authorized officer.

309. Upon notification of the case, the health officer shall inquire whether there are any library books or books owned by a school in a house where diphtheria, scarlet fever, smallpox, typhoid fever, pulmonary or glandular tuberculosis in the infectious stage exists. If so, he shall notify the library or school authorities, who shall cause such books to be burned at the termination of the disease.

Library or school books must not be loaned to persons residing in a house where diphtheria, scarlet fever, smallpox, typhoid fever, pulmonary or glandular tuberculosis in the infectious stage exists.

310. The bodily discharges of any person affected with a communicable disease shall not be disposed of in such a way as to cause offense or danger to other persons.

311. It shall be the duty of a person affected with a communicable disease, or having charge of a patient affected with a communicable disease:

(A) To properly disinfect any infectious bodily discharge;

(B) To prevent access to the patient or to infectious material, of flies, insects, or vermin by screening or other measures, according to the direction of the health officer.

(C) To destroy any flies, insects, or any other such possible carriers of infection discovered in the sick room.

Dogs, cats, and other household pets shall be kept out of a room where a communicable disease is under isolation.

312. No milk, cream, butter, or other food or food products, liable to be eaten without being cooked after handling, shall be offered for sale or given to any party or delivered to any creamery, butter factory, store, shop, or market from a house where a case of diphtheria, scarlet fever, smallpox, or typhoid fever exists, nor shall any person, resident in such house, handle in any capacity, milk or milk products offered for sale. The sale of such food or food products is forbidden from farm premises where any of the diseases mentioned exist except under the following conditions:

Those having to do with the food or food products shall eat, sleep, and work wholly outside of the affected house or part of the house in which the patient is isolated, and shall in no way handle anything or person whatever coming from or connected with the quarantined house or part thereof, nor shall those under isolation in the house handle any person or thing connected with the food or food products or those working with the food or food products.

313. A local health officer receiving a complaint that regulation 310, 311, or 312 is being violated shall investigate, and if it appears that the violation is such as to cause offense or danger to any person he shall serve notice upon the offending party, reciting the alleged cause of offense or danger, and specifying how it shall be corrected.

314. The body of one dead of a communicable disease shall be prepared for burial by a licensed embalmer only.

315. A successful vaccination must be required of all officers and employees in State institutions when such individuals are brought into contact in any way whatever with the wards of the institution.

316. If smallpox prevails in a community, or if the disease appears in a school, all unvaccinated teachers and pupils must be excluded from school for a period of three weeks unless vaccinated within three days of first exposure. Failing to comply with this requirement the school must be closed for a period of three weeks.

317. If smallpox appears in any class in any college in Minnesota all unvaccinated teachers and students in the class must be excluded from school work for a period of three weeks unless vaccinated within three days of first exposure. Failing to comply with this requirement, the classes attended by such teachers or students must be discontinued for a period of three weeks.

318. Teachers in cities and villages shall refer to the head of the school at once any pupil who—

(a) Returns to school after an illness of unknown cause;

(b) Appears to be in ill health;

(c) Shows signs of a communicable disease (see lists under regulations 300 and 301);

(d) Or has lice or other vermin.

All such pupils shall be reported to the school physician for medical examination unless in the opinion of the head of the school the pupil's condition requires that he or she be sent home immediately or as soon as a safe and proper conveyance can be found.

In such cases the pupil shall be sent home and the health officer of the sanitary district concerned shall be notified immediately by the head of the school.

319. Each school physician shall make a medical examination of all pupils referred to him under regulation 318, and such other examination of pupils, teachers, and jani-

tors, and of school buildings, as, in his opinion, the protection of public health, the efficiency of the school, or the welfare of the individual may require, and shall report the results of such examinations to the local and to the State board of health.

320. A person having a communicable disease (see lists under regulations 300 and 301), or any other transmissible affection (influenza, tonsillitis, mumps, conjunctivitis, impetigo contagiosa, itch, ringworm, etc.) or a parasitic infection (lice or other vermin) or any person residing in a house in which any such disease exists, or has recently existed, shall be excluded from attending any public, private, parochial, church, or Sunday school, until the health officer of the sanitary district concerned shall have given his permission for such attendance.

321. No parent, master, or guardian of a child or minor, having the power and authority to prevent, shall permit any such child or minor to attempt to attend school in violation of the provisions of regulation 320.

322. A schoolhouse wherein a case of smallpox, scarlet fever, or diphtheria has been present shall be deemed infected and must be closed and not again used until it has been thoroughly cleaned under the supervision of the local health officer according to directions issued by the State board of health.

ANTERIOR POLIOMYELITIS.

Regulations 301, 302, 303, 304, 306, 307, 308, 310, 311, 313, 314, 318, 319, 320, 321, and the following, govern the control of anterior poliomyelitis.

400. The local health officer shall post in a conspicuous place upon the entrance to premises where anterior poliomyelitis exists, a notice in words and form as follows:

WARNING.

Anterior poliomyelitis exists on these premises.

(Date.) —, 19—. Posted by order of — (health officer).

401. The patient shall be isolated for at least two weeks after the first symptoms appear. The patient's room shall be carefully screened throughout the course of the disease and during the convalescence if any flies or insects are about.

402. Nose, throat, and mouth discharges must be received on cloths and burned at once. Bowel and bladder discharges must be disinfected before being deposited in a sewer or cesspool. Where no sewer or cesspool exists, bowel and bladder discharges shall be disinfected and afterwards buried in such a manner as to prevent the access of flies or insects to them. All articles exposed to possible infection from the aforesaid discharges must be cleansed and disinfected according to the directions of the State board of health.

403. In case of death the funeral shall be strictly private.

404. Children in the house, and persons associated with the patient, shall be kept under observation for two weeks after last exposure. During this period the children shall not attend any public, private, parochial, church, or Sunday school, or any public or private gathering whatever. Residence, boarding or lodging in the house during the isolation of the case shall constitute exposure.

CEREBROSPINAL MENINGITIS.

Regulations 301, 302, 303, 304, 306, 307, 308, 310, 311, 313, 314, 318, 319, 320, 321, 401, 402, 403, 404, and the following govern the control of cerebrospinal meningitis.

500. The health officer shall post in a conspicuous place upon the entrance to premises where epidemic cerebrospinal meningitis exists, a notice in words and form as follows:

WARNING.

Cerebrospinal meningitis exists on these premises.

(Date.) —, 19—. Posted by order of — (health officer).

501. Every doubtful case of cerebrospinal meningitis shall be classed as of epidemic type and cared for accordingly until proved to be otherwise.

CHICKEN-POX.

Regulations 301, 302, 303, 304, 314, 319, 320, 321, and the following govern the control of chicken-pox:

600. The health officer shall post in a conspicuous place upon the entrance to premises where chicken pox exists a notice in words and form as follows:

WARNING.

Chicken-pox exists on these premises.

(Date:) ———, 19—. Posted by order of ——— (health officer).

601. All cases of reported chicken-pox in persons of sixteen (16) years of age or over shall be examined by the local health officer, who shall record whether the patient has been successfully vaccinated against smallpox or not.

602. Children residing in the house who have had the disease previously may attend school upon receiving written permission from the health officer. Children who have not had the disease are forbidden to leave the premises and must not return to school until two weeks after all active symptoms of the disease in the last case have disappeared.

SMALLPOX.

Regulations 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 402, 403, and the following, govern the control of smallpox:

1300. The local health officer shall post in a conspicuous place upon the entrance to premises where smallpox exists a notice in words and form as follows:

SMALLPOX

Exists on these premises.

Smallpox patients must not leave the house until after the removal of the warning card.

Every person exposed to smallpox who can not give evidence of a recent successful vaccination or a recent attack of smallpox must be vaccinated within 3 days of first exposure or be isolated 21 days after last exposure.

Only those protected by vaccination are allowed to go into or from this house.

The occupants of this house will be held responsible for the unauthorized removal of this card.

(Date:) ——— By order of ——— (health officer).

ERYSIPELAS.

Regulations 301, 302, 303, 304, 306, 308, 310, 311, 313, 314, 318, 319, 320, 321, and the following, govern the control of erysipelas:

800. The local health officer shall post in a conspicuous place upon the entrance to premises where erysipelas exists a notice in words and form as follows:

WARNING.

Erysipelas exists on these premises.

(Date:) ———, 19—. Posted by order of ——— (health officer).

801. Each case of erysipelas shall be isolated in a room used for no other purpose. All articles exposed to possible infection by contact with the patient or the patient's discharges (especially dressings, bedding, clothing, eating utensils, etc.) must be disinfected before they are removed from the room. Only the necessary attendants shall enter the room, and upon leaving the room they shall disinfect their clothing, hands, etc., which may have come in contact with the patient or anything used by or about the patient. When mucous membranes of the patient's body are involved, all discharges from such membranes shall be received on cloths and burned at once.

802. No midwife having to do with nursing a case of erysipelas shall, during such times or within a period of two weeks thereafter, conduct a confinement or attend lying-in cases or care for very young children, nor shall any such person handle, in any capacity, milk, or milk products, offered for sale.

RABIES.

Regulations 300, 301, 314, and the following, govern the control of human cases of rabies and of persons exposed to rabies infection:

1100. When any person has been attacked by an animal suspected of being, or known to be, rabid, or where an attack occurs in a community in which rabies is known or supposed to exist, the facts shall be immediately reported by the physician in attendance or the health officer by telegram, telephone, or personally to the Pasteur Institute, State board of health (University Campus, Minneapolis), in order that the advisability of the said person receiving the Pasteur preventive treatment for rabies may be determined.

NOTE.—In Minnesota, rabies among animals is under the jurisdiction of the State live stock sanitary board. See chapter 541, Laws of 1913, entitled "An act to provide for the suppression and elimination of rabies; conferring power and authority on certain health officers to determine the fact of the existence of rabies in any town, city, or village, together with authority to such health officers to make proclamation of the fact of the existence of rabies therein, and by said proclamation to thereafter, for a specified period of time, prohibit dogs from being at large unless muzzled, and providing penalties for violation thereof."

MEASLES.

Regulations 301, 302, 303, 304, 310, 311, 313, 314, 318, 319, 320, 321, 402, 602, and the following, govern the control of measles.

900. The local health officer shall post in a conspicuous place upon the entrance to premises where measles exist a notice in words and form as follows:

MEASLES

Exists on these premises.

Children residing in this house are forbidden to leave the premises without the permission of the health officer.

The occupants of this house will be held responsible for the unauthorized removal of this card.

(Date:) ———. By order of ——— (health officer).

The placard must be kept on the house for at least 10 days after the appearance of the disease in the last case in the house.

WHOOPIING COUGH.

Regulations 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 313, 314, 318, 319, 320, 321, 401, 402, 602, and the following, govern the control of whooping cough.

1700. The local health officer shall post in a conspicuous place upon the entrance to premises where whooping cough exists a notice in words and form as follows:

WARNING.

Whooping cough exists on these premises.

(Date:) ———, 19—. Posted by order of ——— (health officer).

OPHTHALMIA NEONATORUM.

Regulations 301, 302, 303, 306, 307, 308, 310, 311, 313, 314, 318, 319, 320, 321, and the following govern the control of ophthalmia neonatorum:

1000. It shall be the duty of any midwife, nurse, parent, or other person having charge of an infant whose eyes become inflamed, reddened, or diseased at any time within two weeks after birth to report the facts of such affection in writing to the local health officer within 12 hours after ascertaining the facts.

1001. Upon receipt of such report the health officer shall investigate, and unless the case is under the care of a competent physician he shall give specific written instructions for the immediate medical treatment of the disease and for the precautions to be taken to prevent its spread to other persons.

TRACHOMA.

Regulations 301, 302, 303, 304, 305, 306, 307, 308, 310, 311, 313, 314, 318, 319, 320, 321, and the following, govern the control of trachoma:

1400. It shall be the duty of any school-teacher, employer, superintendent, foreman, or person in charge of a lodging house or boarding camp to report to the local health officer any person under his or her supervision who has inflamed eyes or who complains of sore or roughened eyelids.

1401. Upon receipt of such report the health officer shall investigate the case, and if the disease is trachoma or suspected trachoma he shall give written directions for the continuous treatment of the disease and for the precautions to be taken to prevent its spread to other persons unless the case is under the care of a competent physician and adequate precautions are being taken.

DIPHTHERIA.

Regulations 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 318, 319, 320, 321, 322, 402, 403, and the following, govern the control of diphtheria:

700. The local health officer shall post in a conspicuous place upon the entrance to premises where diphtheria exists a notice in words and form as follows:

DIPHTHERIA

Exists on these premises.

All persons except attending physicians are forbidden to go into or away from this house, or to carry anything away from the house without the permission of the health officer.

The occupant of this house will be held responsible for the unauthorized removal of this card.

(Date:) ——. By order of ——— (health officer).

701. So-called laryngeal croup and membranous croup shall be classed, quarantined, and cared for as diphtheria.

702. In suspicious cases of sore throat the same notice shall be posted with the word "Suspected" placed above the word "Diphtheria."

703. The health officer, personally, or through the attending physician, shall take nose and throat cultures from such cases and submit them to the laboratory division of the State board of health for bacterial diagnosis.

If the laboratory diagnosis is "Reserved, send another specimen," no change shall be made in the notice.

If the laboratory diagnosis is "Diphtheria," the word "Suspected" alone shall be removed from the notice.

If the laboratory diagnosis is "No diphtheria bacilli found," and a clinical diagnosis of diphtheria still can not be made, the health officer may raise the quarantine.

704. In all cases diagnosed diphtheria, laryngeal croup, or membranous croup, upon clinical findings, or diphtheria upon laboratory findings, two successive negatives on separate nose and throat cultures are required before release of quarantine in cities and villages and in country districts within 2 miles of a city or village. Cultures should be sent at least once a week after patient recovers, but no case may be held in quarantine more than six weeks after all clinical symptoms have disappeared.

705. All members of a household where diphtheria exists shall be quarantined unless the patient is entirely isolated in a portion of the house used for no other purpose and is in charge of a reliable attendant.

If proper isolation obtains and the laboratory diagnosis on nose and throat cultures from members of the household employed at gainful occupations is "No diphtheria bacilli found," such persons may be released from quarantine, provided they make a declaration in writing to the health officer that they will not come in contact with the patient, the patient's room, or any thing or any person coming in contact with the

patient or the patient's room. The health officer shall issue written permits of release which may be revoked if the above provisions are not complied with.

706. In all cases diagnosed diphtheria, laryngeal croup, or membranous croup upon clinical findings or diphtheria upon laboratory findings, quarantine may be released in country districts more than 2 miles from a city or village three weeks after all clinical symptoms have disappeared or earlier if two successive negatives on separate nose and throat cultures have been reported in accordance with regulation 710.

707. Patients released from quarantine upon the expiration of the prescribed quarantine period, whether in cities, villages, or country districts, shall not be permitted to attend any public, private, parochial, church, or Sunday school, or any public or private gathering until two successive negatives have been reported in accordance with regulation 710. In such cases the patients may go to their physician or health officer to have cultures taken.

708. Persons associated with a case and wishing to leave the premises before quarantine is raised shall be separated from the patient and shall have nose and throat cultures taken by the health officer or attending physician. If the laboratory diagnosis is "No diphtheria bacilli found," the clothing to be worn or taken away from the house shall be disinfected and the person shall take a full bath before being released.

After fatal cases, the members of the household shall not be released from quarantine until the above measures have been carried out.

709. The control of diphtheria in public institutions shall be governed entirely by laboratory examinations. Immediately after the appearance of diphtheria in an institution, the head of the institution shall notify the State board of health of the fact. Each person whose culture shows diphtheria bacilli shall be quarantined whether symptoms exist or not, until one negative report on separate nose and throat cultures has been made, after which the person shall be properly cleansed, the clothing properly disinfected, and the party removed from quarantine to detention quarters and kept there until two more successive negative reports on separate nose and throat cultures have been made, whereupon release may be permitted after proper disinfection.

710. All cultures must be taken by a physician or sanitary inspector, and cultures for release of quarantine shall be taken with at least 24 hours intervening. All cultures must be submitted to the laboratory division of the State board of health or to a laboratory having the official indorsement of said board. Reports on cultures examined elsewhere will not be officially recognized.

SCARLET FEVER.

Regulations 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 318, 319, 320, 321, 322, 402, 403, and the following, govern the control of scarlet fever:

1200. The local health officer shall post in a conspicuous place upon the entrance to premises where scarlet fever exists a notice in words and form as follows:

SCARLET FEVER

Exists on these premises.

All persons except attending physicians are forbidden to go into or away from the house or to carry anything away from the house without the permission of the health officer.

The occupant of this house will be held responsible for the unauthorized removal of this card.

(Date:) ———. By order of ——— (health officer).

1201. In suspicious cases, the same notice shall be posted with the word "Suspected" in addition, placed above the words "Scarlet fever." If the clinical symptoms later justify the diagnosis of scarlet fever, the word "Suspected" shall be removed. If the facts in the case later exclude scarlet fever, quarantine may be removed by the health officer.

1202. Unless death occurs earlier, quarantine shall never be less than three weeks, and may be longer, after the date of the first symptoms of the last case in the house. No patient shall be released from quarantine until the health officer has found, upon examination, that the condition of the nose and throat and ears is normal and that evidence of danger of infection no longer exists.

1203. The patient shall not attend any public, private, parochial, church, or Sunday school or any public or private gathering whatever, until a second examination by the health officer or his authorized agent, made not less than one week after the release of quarantine, shall demonstrate a continuance of the normal condition of the nose and throat and ears. When ear discharge exists, the patient shall report weekly for examination by the health officer or his authorized agent, and shall carry out such precautions to prevent the spread of infection as he shall prescribe.

1204. All members of the household where scarlet fever exists shall be quarantined unless the patient is entirely isolated in a portion of the house used for no other purpose, and is in charge of a reliable attendant. If proper isolation obtains, members of the household employed at gainful occupations, except teaching or other work bringing them into contact with children, may be released from quarantine, provided they make a declaration in writing to the health officer that they will not come in contact with the patient, the patient's room, or anything or anybody coming in contact with the patient or the patient's room. The health officer shall issue written permits of release which may be revoked if the above provisions are not complied with.

1205. A nurse or other person under quarantine with a scarlet fever patient may be released before the quarantine is removed if found upon examination by the health officer to be free from symptoms of the disease and not liable to develop the same. Such persons must agree to report immediately to the local health officer of the sanitary district in which they may be should symptoms develop within 10 days after their release from quarantine. All clothing worn or taken away from the quarantined house must be disinfected and the person shall take a full bath before being released.

TUBERCULOSIS.¹

Regulations 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 318, 319, 320, 321, 402, and the following govern the control of tuberculosis:

1500. If proper precautions are not being taken by the patient, or those in charge of the patient, the local health officer shall post in a conspicuous place on the entrance to premises where a case of pulmonary or glandular tuberculosis in the infectious stage exists a notice in words and form as follows:

WARNING.

Tuberculosis exists on these premises.

(Date:) ——— 19—. Posted by order of ——— (health officer).

This notice is posted only when proper precautions are not being taken for the protection of the public health.

1501. No person affected with pulmonary or glandular tuberculosis in the infectious stage shall handle in any capacity, milk, cream, butter, other food or food products liable to be eaten without being cooked after handling, if such foods are to be offered for sale.

1502. The infectious stage of pulmonary or glandular tuberculosis, for the purpose of these regulations, shall be considered as the period or periods following a positive clinical diagnosis of tuberculosis or the demonstration of tubercle bacilli in the sputum or discharge, during which there is cough with expectoration, or during which there is a discharge through the mouth or externally from the affected glands.

¹ See chapter 434, p. 256.

TYPHOID FEVER.

Regulations 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 318, 319, 320, 321, 402, and the following govern the control of typhoid fever:

1600. The local health officer shall post in a conspicuous place upon the entrance to premises where typhoid fever exists a notice in words and form as follows:

WARNING.

Typhoid fever exists on these premises.

(Date:) —, 19—. Posted by order of — (health officer).

1601. The patient's room shall be carefully screened throughout the course of the disease and during convalescence if any flies or insects are about.

1602. No person, convalescent from typhoid fever, or suffering from so-called walking typhoid shall be permitted to handle, in any capacity, milk, cream, butter, other food or food products, liable to be eaten without being cooked after handling, if such foods are to be offered for sale, until the local health officer shall state in writing that the circumstances indicate that danger of typhoid infection from such person no longer exists.

NOTE.—The absence of symptoms for several weeks after the patient has entirely recovered, or negative findings upon bacteriological examination of discharges, or both, may be taken as a basis for such a statement, although not conclusive evidence that the person may not be a "typhoid carrier."

1603. Whenever typhoid fever prevails in a locality, the local board of health shall appoint immediately a competent inspector or inspectors to patrol the city, village, or district involved. Such inspector or inspectors shall report to the local board of health all water-closets and privies which are not fly proof and all vaults and cess-pools which are not water-tight, dark, and fly proof. Thereupon, the local board of health shall enter its proper order in the premises to the end that all such water-closets and privies shall be made fly proof and all such vaults and cesspools water-tight, dark, and fly proof.

1604. Any drinking-water supply shown to be a positive or probable source of typhoid fever or other disease shall be condemned either by the local board of health or by the State board of health, and when so condemned shall not be used again as a drinking-water supply until declared safe by the condemning party.

Industrial Diseases—Notification of Cases Required. (Chap. 21, Act Feb. 25, 1913.)

SECTION 1. Physicians to report certain cases of poison to commissioner of labor.—Every physician attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, or mercury, or their compounds, or from anthrax, or from compressed-air illness, contracted as a result of the nature of the patient's employment, shall send to the commissioner of labor a notice stating the name and full postal address and place of employment of the patient and the disease from which in the opinion of the physician the patient is suffering, with such other specific information as may be required by the commissioner of labor and which may be ascertained by the physician in the course of his duties.

SEC. 2. Failure a misdemeanor.—If any physician, when required by section 1 of this act to send a notice, fails forthwith to send same, he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding \$10, or by imprisonment in the county jail for not exceeding 10 days.

SEC. 3. To be enforced by labor commission.—It shall be the duty of the commissioner of labor to enforce the provisions of this section, and he may call upon the State and local boards of health for assistance.

SEC. 4. This act shall take effect and be in force from and after July, 1913.

Tuberculosis—Notification of Cases and Control. (Chap. 434, Act Apr. 23, 1913.)

SECTION 1. Every physician in the State of Minnesota shall report to the State board of health on blanks furnished by said board for that purpose full particulars as to every person under his treatment for tuberculosis within one week after the diagnosis of the disease, except that physicians in cities and villages where they are required by ordinance or sanitary regulation to report tuberculosis to the local board of health will not be required to report such cases directly to the State board of health, but the local health officer shall make returns of all such cases reported to him to the State board of health once a month on blanks furnished for that purpose by said board.

SEC. 2. It shall be unlawful for the authorities in charge of any penal or charitable institution to care for any person afflicted with tuberculosis in the same room or ward with other inmates.

SEC. 3. Any health officer shall have the right to report to the board of county commissioners of his county any person afflicted with tuberculosis whom he considers a menace to his family or other persons, and upon the approval of the board of county commissioners said health officer shall have the power to remove said person and place him in a public sanatorium or hospital, where he shall remain until discharged therefrom by the superintendent of such institution.

SEC. 4. No teacher, pupil, or employee about a school building who is afflicted with pulmonary tuberculosis shall remain in or about such building without having a certificate issued by the local board of health or by an agent duly authorized by said board stating that said person is in no sense a source of danger to others.

SEC. 5. In case of the vacation of any apartment or premises by death from tuberculosis, or by the removal therefrom of a person or persons sick with tuberculosis, it shall be the duty of the person or physician in charge to notify the health officer of such town, incorporated village, or city, aforesaid, of said removal within 24 hours thereafter, and such apartments or premises so vacated shall not again be occupied until renovated and disinfected as hereinafter provided.

In case of such vacation the health officer shall order that such premises or apartment and all infected articles therein be properly and suitably renovated and disinfected. In case there shall be no remaining occupants in such premises or apartments then the health officer shall cause a notice in writing to be served upon the owner or agent of the owner of such premises or apartments, ordering the renovation and disinfection of such premises or apartments under the directions of and in conformity with the regulations of the State board of health.

SEC. 6. In case any orders or directions of the health officer requiring the disinfection of any articles, premises, or apartments, as hereinbefore provided, shall not be complied with within 36 hours after such orders or direction shall be given, then it shall be the duty of the health officer to cause a placard in words and form as follows to be placed upon the door of the infected apartments or premises, to wit:

NOTICE.

TUBERCULOSIS IS A COMMUNICABLE DISEASE. THESE APARTMENTS HAVE BEEN OCCUPIED BY A CONSUMPTIVE AND MAY BE INFECTED. THEY MUST NOT BE OCCUPIED UNTIL THE ORDER OF THE HEALTH OFFICER DIRECTING THEIR RENOVATION AND DISINFECTION HAS BEEN COMPLIED WITH.

THIS NOTICE MUST NOT BE REMOVED UNDER A PENALTY OF LAW, EXCEPT BY THE HEALTH OFFICER OR AN AUTHORIZED OFFICER.

SEC. 7. It shall be unlawful for any person having pulmonary tuberculosis to dispose of sputum, saliva, or other secretions or excretions so as to cause offense or danger to any person or persons.

SEC. 8. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

Tuberculosis—Establishment and Maintenance of County Sanatoria. (Chap. 500, Act Apr. 25, 1913.)

SECTION 1. *Method of establishing.*—The board of county commissioners of any county in this State or the boards of county commissioners in any group of counties in this State shall have and are hereby granted and given power, with the advice and approval of the advisory commission of the Minnesota Sanatorium for Consumptives, to establish and maintain as hereinafter provided a sanatorium for the treatment and care of persons affected with tuberculosis, provided that said power so granted shall be exercised as follows:

a. Such sanatorium may be established by a majority vote of the commissioners of such county or a majority vote of the commissioners of each such group of counties whenever and in cases where the amount of the cost of construction to be paid by such county or group of counties shall not exceed such sum as may be raised by a tax levy of not to exceed one mill on the dollar of the taxable property of any such county or group of counties.

b. When the cost of constructing said sanatorium shall exceed the amount specified in subdivision "a" hereof, or whenever it is necessary to issue the bonds of such county or any county in any such group of counties to defray the cost which such county or any of such counties are required to pay under the terms of this act, then and in all such cases the questions of (1) whether such sanatorium shall be established (and when necessary) (2) whether such bonds shall be issued to defray any county's portion of the cost thereof shall be submitted to the voters of such county or, if more than one, to the voters of each of such counties requiring a bond issue, and the sanatorium shall not be established or bonds issued therefor unless a majority of the voters of such county, or, if more than one, of each such county voting thereon shall vote in favor of each proposition submitted to it or to them.

c. The board of county commissioners of any such county, or, if more than one, the board of county commissioners of any such counties shall have the power and authority in any case to submit the question to the voters of any such county or counties in the way and manner provided in this act and in the event that the cost which the county, or, if more than one, the counties will be required to pay for the erection of such sanatorium under this act shall be less than an amount equal to the amount which can be raised in any such county or counties by a tax levy of one mill on the dollar of the taxable property of each such county or group of counties and the commissioners of any such county or counties shall decide not to construct the same under the power herein contained, on a petition of not less than 5 per cent of the freeholders of such county or counties, such question shall be submitted to the voters of such county or group of counties, and if a majority of the voters of such county or a majority of the voters of each county of such group of counties voting thereon, vote in favor thereof then such sanatorium shall be erected hereunder and a tax levied if necessary to pay the cost which such county or counties are required to pay under this act, which tax shall be extended and collected as herein provided.

Provided, That any county or group of counties which has heretofore commenced proceedings to erect a sanatorium or taken any steps preliminary thereto may by a resolution of the board of county commissioners thereof, adopted by a majority vote of said board of county commissioners or each board of county commissioners, as the case may be, determine to proceed under the provisions of this act and may continue hereunder and complete such sanatorium and be entitled to all the provisions and benefits provided for in this act.

Provided, however, That the said sanatorium when so constructed shall in all respects conform to the requirements of this act.

The board of county commissioners of any such county or the board of county commissioners of each of such group of counties, if more than one, erecting such sanatorium

under the provision of this act, may, by resolution, create a fund to be known as the "sanatorium fund;" and such funds may be raised by taxation at the time of deciding to erect such sanatorium under this act or at any time subsequent thereto, or if submitted to the people at the first meeting of the board of county commissioners, after the people of said county or counties shall have voted to erect the same, and the amount so determined by said board to be raised by taxation shall be levied by the county auditor in addition to all other taxes authorized by law, and shall be extended on the tax lists and collected as other county taxes; and this provision shall be construed to vest in the county commissioners of such county or counties, as the case may be, power to levy a tax to pay interest and principal of any bonds authorized hereunder as the same shall come due and become payable, and the said tax shall be levied, extended, and collected in the same way and manner as other county taxes are levied, extended, and collected, and shall be used for no other purpose, provided that no institution established under this act shall have less than 20 beds.

The question as to the establishment and maintenance of the sanatorium, or issuance of bonds therefor, may be submitted at a general or special election; if at the general election the notices of such election shall state that the questions will be voted upon and the provisions for taking such vote shall be made upon the blue ballots furnished therefor, as in the case of other questions, and the result shall be canvassed and returned in like manner; if at a special election, such election shall be ordered by resolution of the county board and the procedure for, at, and after such election shall be substantially and as far as applicable the same as provided for in sections 399 to 403, inclusive, of the Revised Laws of 1905, and the county auditor, upon the passage of the necessary resolution, shall proceed as in said sections provided. If the proposition is to affect more than one county, then the necessary action shall be taken by the county board and county auditor of each county affected. If funds are to be borrowed from the State, the procedure outlined herein shall be sufficient for that purpose, instead of those provided for in chapter 122, General Laws of 1907.

If the bonding proposition should carry at any such election at which both propositions are voted upon, and the other proposition should fail to carry, no bonds shall be issued to provide money for the establishing or maintaining of a sanatorium until at some future election at which the question is properly submitted, and a majority of the votes cast upon the question shall have been in favor of the establishing and maintaining of such sanatorium. Where more than one county is involved the result of the vote on the question or questions submitted in each of said counties, shall be certified by the county auditor thereof to the county auditors of the other counties interested.

The amount of taxes to be raised in any one county for the construction of any such sanatorium hereunder, shall never exceed an amount equal to the amount which may be raised by a tax levy of one mill on the dollar of taxable property in such county.

SEC. 2. Local and State commissions—Powers and duties.—Upon the decision to establish and maintain a tuberculosis sanatorium under this act, the county commissioners of any county shall appoint a commission consisting of three members, residents of the county, at least one of whom shall be a licensed physician. These members shall be chosen with reference to their special fitness for such office and the appointment of said licensed physician before becoming effective shall be approved by the State board of health. Under the first appointment one member shall be chosen to hold office for 1 year, one for 2 years, and one for 3 years, all from the first Monday of the next July following such appointment, and thereafter one member shall be chosen each year to serve for a period of 3 years commencing with the first Monday in July in each year, respectively, and each appointee shall hold office until his successor is appointed and qualified. This commission shall be known as the county sanatorium commission. Its members shall serve without compensation but

shall be entitled to reimbursement for all necessary expenses incurred by them in connection with their official duties.

Said county sanatorium commission shall have full charge and control except as hereinafter provided, of all moneys received for the credit of the tuberculosis sanatorium fund hereinafter described and full charge and control of the location, establishing, and maintenance of any sanatorium building constructed under this act and shall make such regulations concerning the same as may seem to it advisable, but no site shall be secured and no buildings erected or equipped without the approval and consent of the advisory commission of the Minnesota Sanatorium for Consumptives, and before final action is taken the plans and specifications shall be submitted to the State board of health for approval as provided by section 2131, Revised Laws of 1905. The State board of control shall have full power and control over the construction and equipment of any such sanatorium whose establishment has been determined upon by said county sanatorium commission as hereinafter provided.

Said county sanatorium commission may when deemed necessary appoint and employ with the approval and consent of the advisory commission of the Minnesota Sanatorium for Consumptives a competent superintendent who shall employ other necessary help at a compensation to be determined by the county sanatorium commission. Said superintendent shall be the executive officer of the sanatorium and he shall act as secretary of the county sanatorium commission. One member of said commission shall be elected annually by the commission as its president.

SEC. 3. Union of two or more counties.—Two or more counties may unite in acquiring, establishing, equipping, and maintaining such sanatorium, and in such case said commission shall be composed of three members chosen from the county in which said sanatorium is to be located, as provided for in section 2, and two members shall be chosen from each of the other counties interested by the county commissioners of each such county; under the first appointment one member shall be chosen to hold office for 1 year and one for 2 years from the first Monday of the next July following such appointment and thereafter one member shall be chosen each year to serve for a period of 2 years, commencing with the first Monday in July each year, and each appointee provided for in this section shall hold office until his successor is appointed and qualified.

SEC. 4. State aid—Control of funds.—A county or group of counties wishing to establish a sanatorium as indicated in section 1 shall through the board or boards of county commissioners appropriate one-half the necessary funds in apportioned amounts as hereafter provided for the establishment, construction, and equipment of the same and may issue bonds therefor in the manner provided by law for the issuance by counties of bonds for other purposes. The State treasurer shall pay out of the funds hereafter provided under this act one-half the cost of the erection and equipment of each such sanatorium, including cost of site, which payment shall be made in the manner provided by law for the payment of expense incurred by the State board of control in the erection and equipment of public buildings; provided that the amount contributed by the State toward the cost of the erection and equipment of each of such sanatorium, including cost of site, shall not exceed \$50,000. Whenever any such sanatorium has been erected and equipped said county sanatorium commission shall have full charge and control of the maintenance of the same, but may confer with the State board of control with reference thereto or respecting the purchase of supplies therefor whenever it desires so to do, and said State board of control shall aid in the securing of favorable contracts for the purchase of supplies when so called upon. Said county sanatorium commission shall determine by resolution each year prior to July 1 the amount of money necessary for the maintenance of such sanatorium during the following year, and a certified copy of such resolution shall be forthwith forwarded to the board or boards of county commissioners, and such board or boards may in their discretion at the regular meeting in July include the properly approved

and apportioned amount in the annual levy of county taxes. In no case shall the amount of such levy in any one year exceed 1 mill on the dollar of assessed valuation. For the maintenance of each free patient treated in the sanatorium the sum of \$5 per week shall be paid to said county or group of counties by the State treasurer out of funds appropriated under this act, which payments shall be made monthly upon warrants of the State auditor, drawn upon the State treasury, provided that the president and executive secretary of the advisory commission of the Minnesota Sanatorium for Consumptives certify that the institution has been properly conducted.

In case two or more counties unite in a decision to establish a sanatorium, the county sanatorium commission shall apportion by resolution one-half of the estimated total cost of site, erection, and equipment, and the estimated total cost of maintenance for the ensuing year between or among said counties, and designate the amount to be raised by each county, which said apportionment shall be based approximately upon the respective population of said counties as determined by the last previous Federal or State census. When so apportioned said commission shall forward to the board of county commissioners of each county a certified copy of such resolution, and each county board shall then proceed to pay if it has funds available for that purpose or to make a tax levy for the amount apportioned to its county. All moneys collected or received for such sanatorium purposes except cost of site, erection, and equipment shall be deposited in the treasury of said county or counties to the credit of the tuberculosis sanatorium funds, and shall not be used for any other purpose and shall be paid out in a manner provided by law for other county expenses by the proper officers of said county or counties upon the properly authenticated vouchers of the county sanatorium commission, signed by the president and secretary thereof, and all moneys collected or received to be used toward the payment of the cost of site, erection, and equipment of such sanatorium shall be sent by each county treasurer to the State treasurer to be placed to the credit of said sanatorium, and shall be paid out in the manner as in this section provided for other payments toward cost of site, erection, and equipment of said sanatorium.

SEC. 5. *Financial supervision.*—Such county sanatorium commission shall file monthly, on or before the 15th of each month, with the State auditor, reports of all its financial transactions for the preceding month, and the public examiner shall examine all the books and accounts of said county sanatorium commission pertaining to its financial transaction at least twice a year and make report thereof to the governor.

SEC. 6. *Charges—Free patients.*—The county sanatorium commission shall fix the amount to be charged for the care, treatment, and maintenance of each patient. When a patient is unable to pay said charges and has no kindred legally liable therefor from whom payment can be secured, said patient may be admitted without charge, or a patient by whom or for whom continued payments can not be made may become a free patient. Any individual resident of the State, residing outside of a county or counties maintaining a tuberculosis sanatorium, may apply for treatment in any sanatorium established under this act, or any city, village, town, or county may so apply on behalf of any of its charges, and such patient may be cared for therein upon payment of a weekly sum to be fixed by the county sanatorium commission, provided that the advisory commission of the Minnesota Sanatorium for Consumptives shall approve of the admission of such patient and the sum so fixed.

SEC. 7. *Admission.*—Any resident of a county or counties maintaining a tuberculosis sanatorium who is afflicted with pulmonary tuberculosis, whether in the incipient or advanced stage, is eligible for care in such sanatorium and may apply for admission thereto, or anyone may apply on behalf of any such individual, and the superintendent shall when conditions so warrant admit said person to such sanatorium for care and treatment, it being the intention that applications for residents of a county or counties where a sanatorium is located shall have precedence over applications for nonresi-

dents, but preference shall always be given to patients in the most advanced stages of the disease. The superintendent of each county sanatorium shall keep lists of applications (resident and nonresident) numbered respectively in the order in which they are received. When the conditions warrant the admission of another patient the superintendent shall give to the applicant who is first upon the resident list, or if there be no resident list then to the applicant who is first upon the nonresident list, an order for examination, directed to one of the county's examiners of the State sanatorium to determine that said applicant is afflicted with tuberculosis. The fee for each examination by an examining physician shall be \$3, payable out of the funds of the sanatorium for which the examination is made.

SEC. 8. *Private donations.*—The county sanatorium commission is empowered to accept as a trust any gift, donation, or funds from any source, whether subject to the special provisions of the donors or not, and such gifts, donations, or funds, shall be placed to the credit of the tuberculosis sanatorium fund in the treasury of the county in which the sanatorium is located, and shall be disbursed as provided for under section 4.

SEC. 9. *Executive secretary—Expenses of State commission.*—The advisory commission of the Minnesota Sanatorium for Consumptives is authorized to employ in connection with the carrying out of the purposes of this act, an executive secretary, and such other assistants and office help as may be necessary. It shall fix their compensation, which together with the necessary office and traveling expenses, not to exceed \$10,000 per annum, shall be paid by the State treasurer out of funds appropriated under this act by the warrant of the State auditor.

SEC. 10. *Counties having already let a contract.*—Any county which has hitherto established, built, and equipped, or let the contract for building a sanatorium under the provisions of chapter 347, Laws of 1909, may by resolution of its county commissioners make application to come under the provisions of this act, and when the institution and the manner in which it is conducted meet with the approval of the advisory commission of the Minnesota Sanatorium for Consumptives the State auditor shall draw his warrants upon the State treasurer in favor of such county in the sum equal to \$500 for each bed provided for a patient in such sanatorium at the time such application is made, and the State treasurer shall pay such warrant out of the funds in the State treasury provided for in this act.

SEC. 11. *Counties having already levied a tax.*—Any county or group of counties that has heretofore under chapter 347, General Laws of 1909, levied a tax or otherwise provided for the establishment of a sanatorium which has not been built and equipped may by resolution of the proper board or boards of county commissioners come under the provisions of this act and receive the State aid herein provided for a county or counties that may hereafter comply with the provisions hereof by depositing in the State treasury for the credit of its county sanatorium one-half of the estimated cost of the site, erection, and equipment thereof, and the county treasurer or treasurers upon the adoption of such resolution shall forthwith forward such amounts to the State treasurer.

SEC. 12. *Counties having boards of control.*—In all counties of this State now or hereafter having a board of control of hospital and charitable funds, the members of such board of control shall constitute such commission, and shall perform the duties prescribed by this act, as part of their duties as members of such board of control and without additional compensation. In such counties the superintendent shall not be secretary of said board or commission, but the secretary of such board of control shall perform the duties imposed by this act upon the secretary of the county sanatorium commission without additional compensation.

SEC. 13. *Members of local commission must qualify.*—Wherever in this act the words "sanatorium," "county sanatorium," or "county sanatorium commission" are used, the same shall apply to a sanatorium or commission, whether the sanatorium in ques-

tion is one for a county or a group of counties. Each member of a county sanatorium commission shall before entering upon his duties take the oath provided by law and give a bond, to be approved by the board of county commissioners of the county wherein such member resides, in the sum of \$5,000 to the State of Minnesota, conditioned as provided for in chapter 107, General Laws of 1909, which said bond shall be filed with the board of county commissioners of such county.

SEC. 14. *Repeal section.*—All acts and parts of acts inconsistent with this act are hereby repealed, provided, however, that any county or counties that have heretofore established, built, and equipped, or contracted for building a sanatorium under the provisions of chapter 347, General Laws of 1909, shall continue under said law until the provisions of section 10 hereof have been complied with.

Rabies—Muzzling of Dogs. (Chap. 541, Act Apr. 26, 1913.)

SECTION 1. *Report as to rabies to be made to live stock sanitary board.*—It shall be the duty of the executive officer of the live stock sanitary board, the chief health officer of every city, the executive officer of each town and village board of health, when complaint in writing shall have been made to him that rabies exists in any town, village, or city over which his jurisdiction extends, and for the purposes of this act the jurisdiction of the State officer hereinbefore named shall extend to any town, village, or city in this State, to investigate, either personally or through the agency of subordinate officers under his jurisdiction as to the truth of any such complaint, and determine whether or not rabies does exist in any such town, village, or city. Any such officer may on his own motion and without such complaint likewise make such an investigation and determination. The fact that any executive officer of any town, city, or village has investigated and determined that rabies does not exist in the territory over which he has jurisdiction shall not deprive the executive officer of the live stock sanitary board of jurisdiction or authority to make such an investigation and determination with reference to such territory.

SEC. 2. *Proclamation to be issued.*—If on such investigation any such officer finds and determines that rabies does exist in any town, city, or village, he shall forthwith and thereupon make and file, as hereinafter provided, a proclamation, setting forth the fact of such investigation and determination, and also in and by said proclamation prohibit the owner or custodian of any dog from permitting or allowing such dog to be at large within such town, city, or village, designating it, unless such dog shall be so effectually muzzled that it can not bite any other animal or any person. Such proclamation, when issued by the executive officer of a town or village board of health, shall be filed with the town or village clerk, respectively; when issued by the chief health officer of a city it shall be filed with the city clerk; when issued by the State official hereinbefore named, it shall be filed with the clerk of the town, village, or city to which it relates. It shall be the duty of the officer with whom such proclamation is filed as aforesaid, to forthwith publish a copy thereof (once) at the expense of his municipality, in a legal newspaper published in the town, village, or city to which such proclamation relates, if such a paper is published therein, and if there be no newspaper published therein, then to post a copy of such proclamation in three public places therein. Proof of publication shall be made by affidavit of the publisher in the one case and of posting in the other, by the person posting the same, which affidavit shall be filed with the proclamation. Such proclamation shall be deemed effective and in full force five days after the publication or posting of copies thereof, as hereinbefore provided for, and shall remain in full force and effect for a period of time therein designated, not exceeding six months, as shall be determined by the officer making such proclamation.

SEC. 3. Dogs prohibited from running at large during period of proclamation.—It shall be unlawful for the owner or custodian of any dog to suffer or permit it to be at large, either on the premises of the owner or elsewhere, within any city, village, or town wherein and as to which any such proclamation shall have been made, during the time such proclamation is in force, unless such dog shall be effectively muzzled so that it can not bite any other animal or any person. It shall be lawful for any person to kill any dog running at large on the public streets or roads in violation of the provisions of this act, and the owner or owners of any dog so killed shall have no claim against the person so killing any such dog. Any person violating the provisions of this act shall be guilty of a misdemeanor. It shall be the duty of all peace officers and all health officers to make complaint of any known violation of this act.

Common Drinking Cups—Prohibited in Public Places. (Chap. 61, Act Mar. 12, 1913.)

SECTION 1. In order to prevent the spread of communicable diseases, the use of common drinking cups in public places, public conveyances, and public buildings is hereby prohibited.

SEC. 2. Whoever violates the provisions of this act shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding \$25 for each offense.

SEC. 3. This act shall take effect and be in force from and after July 1, 1913.

Foodstuffs—Misbranding of. (Chap. 20, Act Feb. 25, 1913.)

SECTION 1. Misbranding beverages a misdemeanor.—Section 1774, Revised Laws of Minnesota, 1905, is hereby amended so as to read as follows, to wit:

"1774. *Misbranding.*—Any person who either fails to affix or display any brand, marking, label, card, or placard in the manner and form required by any section of this chapter, or who fails to fully or truthfully state thereon all things as in such section required, or who places thereon anything other than the specific data or information therein called for; any person who shall remove, erase, efface, obscure, or obliterate any such mark, brand, label, card, or placard so required by law; and any person who shall place upon any article designed or offered for sale or use as food or as a beverage, or any article mentioned in this chapter, or upon any receptacle or package containing the same, anything which might deceive or tend to deceive the purchaser as to the substance from which such article is made or which it contains, or in respect to its quality, strength, or quantity, or in respect to the source of its manufacture or production, or which conflicts with, confuses, or conceals any data or information required by this chapter to be set forth by the aforesaid mark, brand, label, card, or placard, shall be deemed guilty of a misdemeanor, which shall be known as misbranding; and the article concerning or upon which such misbranding is done shall be deemed a misbranded article."

Births and Deaths—Registration of—Interments. (Chap. 579, Act Apr. 28, 1913.)

SECTION 1. Vital statistics—State board of health to have charge of.—The State board of health shall have general supervision and charge of the State system of registration of births and deaths, and may make and enforce any regulations necessary for the proper carrying out of the same. The secretary of the State board of health shall be designated and known as the State registrar and shall be the administering officer of the State in connection therewith, charged with the enforcement of the provisions of this act.

SEC. 2. Registration districts—Local registrars—Subregistrars.—Each town, village, and city shall for the purpose of this act constitute a primary registration district, and

the town, village, and city clerk, respectively, shall be the local registrar for the town, village, or city comprising such primary registration district: *Provided*, That in all cities having an organized health department the local registrar shall be the local health officer. The local registrar shall perform all the duties required of him by the provisions of this act. He may appoint a deputy, for whose actions he shall be responsible. Any local registrar who neglects or refuses to perform the duties imposed by this act shall be superseded by another to be appointed by the State registrar in his place. The State board of health may appoint subregistrars to receive certificates of births and deaths and issue burial permits in any designated territory. They shall be subject to the supervision of the State registrar and may be removed by him for cause. Such subregistrars shall note thereon the date when any certificate is filed with him, sign the same, and forward it to the local registrar of the proper district within 5 days after receipt; and shall make a monthly report to the State registrar on blanks furnished for that purpose of all deaths where he has had charge of the remains or sold the casket.

SEC. 3. *Certificate of birth—By whom furnished—Contents.*—The physician or midwife attending at the birth of any child, or, if there is no attending physician or licensed midwife, the father or mother shall, within 10 days thereafter, subscribe and file with the local registrar of the district within which the birth occurs a certificate of birth specifying:

Place of birth including State, county, city, village, or town, with the street and house number, if any, or in lieu thereof the name of the hospital or other private, public, or State institution, if in such institution.

Full name of child. If the child dies without being named before the certificate is filed, enter word "Unnamed" with date of death.

Male or female.

Whether one of twins, triplets, or other plural birth and the number in order of birth.

Legitimate or no.

Date of birth, including year, month, day, and hour.

Full name of the father.

Residence of the father.

Color or race of father—as white, colored, Indian, Chinese, or other.

Age of father at last birthday.

Birthplace of father; State or foreign country.

Occupation of father with a statement of the trade, profession, or particular kind of work; or the general nature of the industry or business engaged or employed in.

Full maiden name of mother.

Residence of mother.

Color or race of mother—as white, colored, Indian, Chinese, or other.

Age of mother at last birthday.

Birthplace of mother; State or foreign country.

Occupation of the mother with a statement of the trade, profession, or particular kind of work; or the general nature of the industry or business engaged or employed in.

Number of children born to this mother, including present birth.

Number of children born of this mother now living.

The fact of attendance and that the birth occurred at the time stated.

Date of making and address of the person subscribing.

If the child is one of a plural birth a separate certificate for each child shall be filed.

When the birth occurs in any lying-in hospital or in any private, public, charitable, or State institution, without attendance by a physician or licensed midwife, the superintendent, manager, or person in charge shall make and file the certificate of birth.

If the birth occurs in any hotel, rooming or boarding house, or in any private dwelling, or apartment other than the home of the parents, the keeper or occupant shall immediately notify the local registrar of that fact. The local registrar shall then procure the necessary information and signature for a proper certificate of birth.

The attending physician or midwife shall deliver to the parents a blank for a supplemental report of the given name if the child is not named at the time of making the certificate of birth.

When a certificate of birth is filed without the given or baptismal name the local registrar shall deliver to the parents a blank for a supplemental report of the name. Such supplemental report, shall be made and filed with the local registrar as soon as the child is named. If such report is not filed within 30 days from the date of birth the local registrar shall obtain such name by other means.

SEC. 4. *Certificate of death—By whom obtained and filed—Contents.*—The undertaker, or person acting as such, at the burial of any person dying in this State shall obtain and file with the local registrar of the district in which the death occurs a certificate of death containing:

A statement, authenticated by the signature of some person cognizant of the facts, specifying:

Place of death, including State, county, city, village, or town, with the name of the street and house number, or in lieu thereof, the name of the hospital or other private, public, or State institution, if in such institution. If in an industrial or mining camp, or mine, the name of the camp or mine.

Full name of deceased. If an unnamed child the surname preceded by "Unnamed."

Male or female.

Color or race—as white, colored, Indian, Chinese, or other.

Single, married, widowed, or divorced.

Date of birth, including year, month and day.

Age, in years, months, and days. If less than one day, the hours or minutes.

Occupation. If the person had any remunerative employment, statement of the trade, profession, or particular kind of work; or the general nature of the industry or business engaged or employed in.

Birthplace; State or foreign country.

Name of father.

Birthplace of father, State or foreign country.

Maiden name of mother.

Birthplace of mother, State or foreign country.

A medical certificate subscribed by the attending physician, together with his address and date of making, stating fact and time of death, giving year, month, day, and hour; time of attendance; when last seen alive; the disease or injury causing death, with contributory cause or complication, and the duration of the illness; if from violence, the means and circumstances of the injury and whether indicating accident, suicide, or homicide: *Provided*, That the medical certificate shall be made and subscribed by the coroner whenever the cause of death is investigated by him. *Provided, further*, That in cities of the first, second, and third class the health officer, and in town, villages and cities of the fourth class the local registrar, or a subregistrar, shall make and subscribe the medical certificate for any death occurring therein without medical attendance or investigation by the coroner. If the local registrar, or subregistrar, is unable to determine the cause of death he shall refer the case to a physician, or to the coroner, for certification.

When the death occurs in a hospital or other institution or place, other than the home of the deceased, a statement of the length of time at the place of death, length of time in the State, usual place of residence, and where the disease was contracted.

A statement showing place and date of burial, signed by the undertaker, with his address.

In the case of a child dead at birth a certificate of birth having the word "Still-birth" inserted in place of the name, and, also, a certificate of death shall be made and filed with the local registrar, and a burial permit issued as hereinafter provided. The medical certificate shall be signed by the attending physician and shall state

the cause of death as "Stillborn," with the cause of the stillbirth, whether a premature birth and, if so, the period of utero-gestation in months: *Provided*, That a certificate of birth or death shall not be required for a child that has not advanced to the fifth month of utero-gestation.

In case of stillbirths occurring without an attending physician the medical certificate shall be made and subscribed as is herein provided in case of death without medical attendance.

SEC. 5. *Local registrars—Duties of.*—The local registrar shall indorse on each certificate of birth and death filed with him the number of his district, the number of the certificate, in consecutive numbers, beginning with number 1 for the first birth and the first death in each calendar year, the date when filed with him, his post-office address, and subscribe the same. He shall record such certificates in a suitable record book and, on the 10th day of each month, transmit to the state registrar all original certificates filed with him during the preceding month. If no births or no deaths occurred in his district, within his knowledge, during any month, he shall report that fact to the State registrar on the 10th day of the following month. When required by the State registrar he shall supply any information, or data, necessary to make a complete record or to facilitate the administration of the provisions of this act.

SEC. 6. *Burial permits.*—Upon the filing of a proper certificate of death, completely filled out, with the local registrar, or subregistrar, but not otherwise, he shall issue a burial permit reciting the place and time of death; the full name, age, sex, and nativity of the deceased; the cause of death; the name of the medical attendant; the time and place of interment; the name and address of the undertaker; that a certificate of death complying with the law has been filed in his office; and authorizing the burial or other disposition of the body. He shall sign the permit officially, date it the day of issue, and deliver it to the undertaker, or person applying therefor, who shall deliver to the person in charge of the place of burial, or, when the body is transported by common carrier, to the person accompanying it, before interment or other disposition of the body is made: *Provided*, That when the body is transported from without for burial within the State, the transit permit issued in accordance with the law of the State where the death occurred shall be accepted by the local registrar of the district in which the interment is made in place of a certificate of death and a burial permit issued accordingly, with the fact that the body is brought in for interment indorsed thereon.

SEC. 7. *Undertakers.*—Every person, firm, or corporation selling a casket shall keep a record showing the name of the purchaser, purchaser's post-office address, name of deceased, date of death, and place of death of deceased, which record shall be open to inspection of the State registrar at all times. On the first day of each month the person, firm, or corporation selling caskets shall report to the State registrar each sale for the preceding month, on a blank provided for that purpose: *Provided, however*, That no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record, nor shall such report be required from undertakers when they have direct charge of the disposition of a dead body. Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket a notice furnished by the State registrar calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the State board of health concerning the burial or other disposition of a dead body.

SEC. 8. *Interment—Duties of persons in charge of places of.*—The body of any person dying or found dead in this State, or the body of a stillborn infant shall not be interred or otherwise disposed of, or removed from one registration district to another, or held for more than 72 hours after death unless and until a proper certificate of death has been filed and a permit issued as provided for by this act. The sexton or person in charge of any cemetery, burial place, or other premises, shall not inter, nor permit

the interment or other disposition of, the body of a deceased person until he receives a burial permit as herein provided. He shall keep a record of all interments or other disposition of the body made on the premises under his charge, stating the name of the deceased person, place of death, date of burial, and the name and address of the undertaker. Such record shall be open to public inspection at all times.

SEC. 9. *Personal and statistical records of inmates of public and private institutions to be made and preserved.*—All superintendents, managers, or persons in charge of lying-in or other hospitals, almshouses, charitable or other institutions, public or private, to which persons resort for confinement, treatment of disease, care, or are committed by process of law, shall at once make and preserve a record of all the personal and statistical particulars relative to the inmates now in or hereafter admitted to their institutions that are required to be stated in the certificate of birth and death provided for by this act. If admitted for medical treatment of disease the physician in charge shall specify in the record the nature of the disease and where it was contracted.

SEC. 10. *State board of health to furnish blanks, forms, and books.*—The State board of health shall prepare, provide, and furnish to the local registrars and other persons requiring them all blanks, forms, and books of record necessary for carrying out the purposes of this act. Such blanks, forms, and books shall be furnished at the expense of the State and printed by the State printing commission: *Provided*, That the books of record for the local registrar shall be paid for by the city, village, or town comprising the registration district and furnished by the State at actual cost. These books shall be substantially made and shall contain space for recording all of the facts shown on the original returns of births and deaths.

SEC. 11. *State registrar to preserve certificates—Furnish instructions—May obtain information in certain cases.*—The State registrar shall arrange, bind, and preserve, in a systematic manner, all original certificates of birth and death returned to him and maintain a suitable index of the same. He may assign to each registration district a number to be used as an identifying designation in connection with the name. He shall prepare and issue necessary instructions for the use of local registrars, physicians, undertakers, and others required to furnish information under the provisions of this act. If any such officer, or others, fail or refuse to obtain and furnish the information so required, the State board of health may obtain the same by other means, and the reasonable cost thereof shall be paid by the city, village, or town where the expense is necessarily incurred.

SEC. 12. *Fees of local registrars.*—Each local registrar shall receive, from the county in which his district is located, a sum of 25 cents for each birth and each death certificate. He shall receive the same fee for each monthly report card of no births or deaths having occurred in his district to his knowledge, providing such card is received by the State registrar before the 15th of the month following that to which it applies. Annually, on or before the 1st day of March, the State registrar shall tabulate all the facts shown in the returns of local registrars as having occurred during the preceding year, and transmit to the clerk of the district court of each county a certified copy of such tabulation, so far as the same relates to the vital statistics of such county, and each clerk of the district court shall file, index, and preserve such certified copy, and the same shall be prima facie evidence of each and every fact contained therein. Such tabulation shall show the whole number of births and deaths, and reports of no births or deaths having occurred, transmitted by each local registrar during each year, but no fee shall be paid for "no report" cards if a report of a birth or death for that month is received later. Upon the receipt and the filing of such certified copies the clerk of court shall issue to each local registrar within his county a voucher for the amount due him as shown by such tabulated statement. Upon the presentation of such voucher to the county auditor, a warrant for the amount thereof shall be issued by him. The forms of indexes and indexing shall be prescribed by the State registrar and made in a

suitable book furnished at the expense of the county. All statistics of births and deaths shall be so indexed without other compensation than the clerk's salary, except that in counties where the clerk is not on a salary basis he shall be paid 5 cents by the county for each name so indexed.

SEC. 13. *Certified copies of the record as evidence—Fees for making.*—The State registrar, or any local registrar, shall furnish any applicant therefor a certified copy of the record of any birth or death recorded under the provisions of this act, for the making and certification of which he shall be entitled to receive a fee of 50 cents, to be paid by the applicant. Such copy of the record of a birth or death, when certified by the State or local registrar to be a true transcript therefrom, shall be prima facie evidence of the facts therein stated in all courts in this State. The State registrar shall keep a correct account of all fees or moneys received by him under the provisions of this act and pay the same over to the State treasurer at the end of each month.

SEC. 14. *Penalties.*—Any person who shall violate any of the provisions of this act or shall willfully neglect or refuse to perform any duty imposed upon him thereby shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$100 or imprisoned in the county jail for a period of not more than 90 days.

SEC. 15. *County attorney to prosecute violations.*—The county attorney of the several counties shall make complaint and prosecute any person charged with violating any of the provisions of this act when the facts and circumstances constituting such violation are presented to him by the State registrar or by any local registrar.

SEC. 16. *Repeals.*—Sections 2140, 2141, 2142, Revised Laws of 1905, chapter 454, General Laws of 1907, chapter 23, General Laws of 1909, chapter 250, General Laws of 1911, and also all other acts and parts of acts inconsistent with this act are hereby repealed.

MISSISSIPPI.

Morbidity Reports. (Reg. Bd. of H., Oct. 30, 1913.)

SECTION 1. It shall be, and is hereby, the duty of county health officer to secure a report from physicians each month, of the diseases named in section 2, of the rules and regulations of the State board of health governing the morbidity reports, as provided in section 2487, of the Mississippi Code, 1906.

SEC. 2. The State board of health provides that the following diseases shall be notifiable: Asiatic cholera, cancer, chicken pox, diphtheria, dysentery (amebic), epidemic cerebrospinal meningitis, hookworm disease, leprosy, malaria, measles, pellagra, plague, pneumonia, poliomyelitis (acute), rabies, scarlet fever, smallpox, tuberculosis (all forms), typhoid fever, typhus fever, whooping cough, yellow fever.

SEC. 3. Each and every licensed physician practicing in the State of Mississippi, who treats or examines any person suffering from or afflicted with or suspected to be suffering from, or afflicted with any one of the notifiable diseases named in section 2, shall on the first day of the month following, report the number of cases of each disease or suspected disease to the county health officer of the county in which the patient resides or is temporarily located. Such reports shall show the number of cases of each disease by color or race. When a physician has not attended any cases of notifiable diseases during a month, he shall report such fact to the county health officer.

Physicians should be careful to not duplicate the reports of a case. The report which is made on the first day of each month should include only new cases which were attended during the preceding month. A recurrence of a disease should not be reported as a new case. A case which has been reported during one month and is treated through or into a part of the next month should not be again reported. The report should not include the number of cases treated during a month, but the new cases attended by the physician.

SEC. 4. Each and every physician shall report to the county health officer within 24 hours any person suffering from or afflicted with or suspected to be suffering from or afflicted with any of the following diseases: Asiatic cholera, diphtheria, epidemic cerebrospinal meningitis, acute poliomyelitis, smallpox, typhoid fever, and yellow fever. Such cases shall be also included in the monthly report made to the county health officer. In reporting to the county health officer the diseases named in this section, the physician shall furnish the following information:

- (1) The date and hour the report is made.
- (2) The name of the disease or suspected disease.
- (3) The name, age, sex, color, occupation, address, and school attended, or place of employment of patient.
- (4) Number of adults and of children in the household.
- (5) Source or probable source of infection or origin or probable origin of the disease.
- (6) Name and address of the reporting physician.

SEC. 5. That the superintendent or other person in charge of any hospital, asylum, or other institution, public or private, shall report all diseases or suspected diseases occurring in the institution as provided in sections 2 and 3.

Cases of the diseases named in section 2 which occur in charity hospitals, county or State institutions the superintendents will be held responsible for making the report to the county health officer. The physicians in attendance upon cases which occur in pay hospitals or sanitoria shall be held responsible for reporting the same to the county health officer.

SEC. 6. Teachers or other persons employed in or in charge of public or private schools, including Sunday schools, shall report immediately to the county health officer each and every known or suspected case of notifiable disease in persons attending or employed in their respective schools.

SEC. 7. When any person is suffering from or afflicted with or suspected to be suffering from or afflicted with any disease named in section 2, and no physician is in attendance, the head of the household shall report such case, or suspected case, to the county health officer as provided in sections 2 and 3 of these regulations.

SEC. 8. Whenever there occurs within a county an epidemic of the diseases named in section 4, the county health officer shall, within five days, report to the secretary of the State board of health the number of cases occurring in the epidemic, the origin of the epidemic, and what action has been taken by the county health officer to prevent the spread of such disease.

SEC. 9. The county health officer shall report to the secretary of the State board of health on the 10th day of each month, giving such information as required by the State board of health.

SEC. 10. Any physician or other person or persons who shall fail, neglect, or refuse to comply with, or shall falsify any report, or shall violate any of the provisions of the rules and regulations of the Mississippi State Board of Health governing the morbidity reports, upon conviction shall be guilty of a misdemeanor, and subject to the penalty provided in section 2511 of the Mississippi Code of 1906.

SEC. 11. The county health officer shall be responsible for the enforcement of the rules and regulations governing morbidity reports in his respective county. Failure, neglect, or refusal on the part of the county health officer to enforce the said rules and regulations shall be grounds for removal from office, and shall render him liable to penalty as provided in section 2511 of the Mississippi Code of 1906, or both.

Infectious and Contagious Diseases—Control of. (Reg. Bd. of H., June 2, 1913.)

SECTION 1. Any person who is suffering from smallpox, chicken pox, scarlet fever, measles, diphtheria, whooping cough, or other contagious or infectious disease must not leave or go to any house or visit any person without the permission of the city or county health officer.

SEC. 2. No parent or guardian shall send or take to any public meeting, or on any railway train or street car, or into the presence of any child, or to any school, a child who is ill with whooping cough, measles, sore eyes, scarlet fever, or other contagious disease. The principal or teacher of any school shall not allow such a child to remain in school, and the name of said child shall be reported to the health officers at once.

County Health Officers—Duties of. (Reg. Bd. of H., Jan. 14, 1913.)

The county health officers of the State are hereby designated assistant sanitary inspectors as well as county health officers. In the future it shall be one of their duties to promulgate the rules and regulations of the State board of health and to see that same are obeyed in their respective counties. This they shall do promptly and effectively, reporting whatever they can not properly handle to the chief sanitary inspector.

Spitting. (Reg. Bd. of H., June 2, 1913.)

SECTION 1. It shall be the duty of health officers, judges, teachers, sheriffs, keepers of public buildings, depot agents, and conductors of railway trains and street cars to call attention to the evils of careless spitting and to assist the State board of health in the prosecution of those who violate the following section.

SEC. 2. All persons must spit upon the streets and into the gutters; and no person shall spit upon any sidewalk, or upon the floor of any place where food is handled or stored, nor upon the floor or wall of any courthouse, jail, schoolhouse, depot, railway coach, street car, nor upon the floor of any restaurant or hotel.

SEC. 3. It shall be the duty of any keeper of the above-named places to give publicity to help to enforce, by prosecution if necessary, any violator of the above section.

Hotels, Restaurants, and Boarding Houses¹—Regulation and Inspection of. (Reg. Bd. of H., Jan. 14, 1913.)

SEC. 19. All bread, cakes, pies, doughnuts, and other ready-to-serve food must be kept under a glass or wire screen, thoroughly protected from flies.

SEC. 20. No restaurant or hotel shall serve diluted or skimmed milk or milk below the standards set forth in the regulations governing the production and sale of milk, nor shall any hotel or restaurant serve milk bought from any dairyman who does not hold a license from the local health authority as provided for by this board.

SEC. 21. No person suffering from tuberculosis shall be permanently housed or maintained in a hotel or restaurant, nor shall such person be allowed to loaf or loiter in same. No bedroom shall open into or have direct connection with any restaurant or hotel kitchen or dining room.

Foodstuffs—Sale of Damaged or Moldy. (Reg. Bd. of H., June 2, 1913.)

SECTION 1. Any person who handles damaged foodstuff, whether damaged in transit or otherwise, shall not sell same or hold for sale in the original package without reackaging, and shall attach to each package thereof a tag upon which shall be printed the following words: "This package is damaged, and is sold at the purchaser's risk." Such food must then comply with the requirements of the section below.

SEC. 2. No person shall sell or hold for sale, as damaged or otherwise, any meal, flour, or any grain product whatever containing mold or other undue vegetable or animal organisms or insects of any kind.

Foodstuffs—Care of.² (Reg. Bd. of H., Jan. 14, 1913.)

SEC. 7. All food products shall be properly protected from the dust by suitable coverings.

SEC. 8. No bedroom shall open into or have connection with any grocery store or fruit stand.

Foodstuffs—Manufacture, Care, and Sale of. (Amendments to Reg. Bd. of H. of Aug. 20, 1912; adopted June 2, 1913.)**GROCERY STORE.³**

SEC. 9. No privy shall open into or have direct connection with any grocery store wherein exposed food of any kind is handled or stored, except by special permit of a representative of the State board of health.

FRUIT AND VEGETABLES.³

Strike out "openly display" and supply the word "peddle."

FOODSTUFF.⁴

In section 7 strike out "during fly season" and add to the end of section these words: "and the bake shop must be kept free from flies."

¹ The preceding sections of this regulation were published in Reprint No. 200, p. 125.

² The preceding sections of this regulation were published in Reprint No. 200, p. 118.

³ Reprint No. 200, p. 118.

⁴ Ibid., p. 119.

Slaughterhouses—Feeding of Hogs Near.¹ (Reg. Bd. of H., Jan. 14, 1913.)

SEC. 14. The State board of health or its representative shall use its own discretion as to who shall be allowed to feed hogs within 200 feet of the slaughterhouse for the purpose of disposing of refuse.

Ice Cream—Manufacture, Care, and Sale of. (Reg. Bd. of H., June 2, 1913.)

1. No ice cream shall be manufactured or stored in any portion of a building which is used for the stabling of horses or other animals or in any room used in whole or in part for domestic or sleeping purposes, unless the manufacturing and storing room for ice cream is separated from other parts of the building to the satisfaction of the board of health.

2. The room or place used for mixing cream must be closely ceiled, properly ventilated, and screened. The walls and floors of the room or rooms in which the cream is made or stored shall be of such construction as to permit of rapid and thorough cleansing. The room or rooms above referred to shall be equipped with appliances for washing or sterilizing of utensils employed in the mixing, freezing, storage, sale, or distribution of ice cream, and all such utensils as used shall be thoroughly washed with boiling water or sterilized by steam. Vessels used in the manufacture and sale of ice cream shall not be used as containers for other substances.

3. All laborers employed in or about the said establishment and all persons engaged in the manufacture, sale, or distribution of ice cream must be cleanly both in person and attire. All persons immediately before engaging in the mixing of the ingredients entering into the composition of ice cream or in its subsequent freezing or handling shall thoroughly wash his or her hands and keep them cleanly during such manufacture and handling.

4. No urinal, water-closet, or privy shall be located in the rooms mentioned in the preceding section, or so situated as to pollute the atmosphere of said rooms.

5. Ice cream kept for sale in any shop, restaurant, or other establishment, shall be stored in a covered box or refrigerator, such box or refrigerator shall be properly drained and cared for, and ice cream shall be kept covered except during such intervals as are necessary for the removal of the cream.

6. Every person engaged in the manufacture, storage, transportation, sale, or distribution of ice cream, immediately on the occurrence of any case or cases of infectious disease, either in himself or his family, or amongst his employees or within the building or premises where the cream is handled, shall notify the city or county health officer, and the said health officer shall take such steps as are necessary to prevent the spread of disease.

7. The milk or cream used in the making of the ice cream must be obtained and handled in accord with the regulations of the State board of health pertaining to milk and dairy products.

8. No person by himself or by his servants or agent or as the servant or agent of any other person, firm, or corporation shall exchange or deliver any ice cream which contains more than 500,000 bacteria per cubic centimeter.

9. No old or melted ice cream returned to a manufacturer from whatever cause shall again be used in the preparation of ice cream.

10. In the peddling of ice cream on the street the conditions imposed by the State board of health are necessarily violated, and therefore the peddling or sale of ice cream on the street or sidewalks is prohibited.

¹ The preceding sections of this regulation were published in Reprint No. 200, pp. 123-124.

Fish Markets. (Reg. Bd. of H., June 2, 1913.)

A fish market shall be governed by same regulations as meat markets.¹

Public Buildings—Ventilation, Lighting, and Cleaning of. (Reg. Bd. of H., June 2, 1913.)

SECTION 1. No person shall maintain or use any theater, show, schoolhouse, church, public hall, jail, hotel, restaurant, rooming house, or other public-service place unless such place is well lighted and well ventilated. The ventilation shall be by natural vents and openings aided by fans when necessary for a complete and constant changing of the air.

SEC. 2. All of the above places shall be kept in a cleanly condition, and the cleaning of such places must be under proper sanitary precautions.

Barber Shops—Regulation of. (Reg. Bd. of H., June 2, 1913.)

All barber shops, together with all the furniture, shall be kept at all times in a cleanly condition.

Mugs, shaving brushes, and razors shall be sterilized by immersion in boiling water or 60 per cent alcohol after every separate use thereof.

A separate, clean towel shall be used for each person. Alum or other material used to stop blood must be powdered and applied on a towel.

The use of powder puffs and sponges is prohibited.

No person shall use a barber shop or connecting room as a dormitory.

Every barber shop shall be provided with hot and cold water.

Every barber shall cleanse his hands thoroughly after serving each customer.

Jails and Courthouses—Care of. (Reg. Bd. of H., Jan. 14, 1913.)

SECTION 1. All city and county jails shall be kept in a sanitary condition. Bars, cages, and floors shall be kept clean and properly painted. All bedding shall be kept clean and fresh. Jails must be also provided with proper toilet facilities of such a character that they will not be a menace to the health of the inmates.

SEC. 2. No person suffering from a contagious or infectious disease shall be imprisoned with other inmates, and any prisoner who is suffering from any cough or other signs of disease shall be reported at once to the county health officer who shall determine how his sickness shall be handled.

SEC. 3. Any jailer, sheriff, or board of supervisors who fails to meet the above requirements shall be proceeded against as the law and regulations require; and the jail in their keeping shall be declared a nuisance and abated.

SEC. 4. All courthouses shall be maintained in a sanitary condition and when found otherwise shall be handled in the same manner as the jail.

Fly-Breeding Places—Maintenance of, Prohibited. (Reg. Bd. of H., June 2, 1913.)

SECTION 1. No person shall maintain in any city, town, or village, any horse or cow stable, garbage pile, dumping ground, or other place in such a manner that it will afford a feeding or a breeding place for flies.

SEC. 2. All manure shall be kept in closed bins and in such a way as to prevent the breeding of flies or else removed twice a week throughout the year.

¹ The regulations relative to meat markets were published in Reprint No. 200, pp. 122-123.

Privies, Cesspools, and Public Toilets¹—Maintenance and Care of. (Reg. Bd. of H., June 2, 1913.)

SEC. 3. No privy shall be maintained in any room, nor shall it have direct connection with any room wherein any kind of exposed food or foodstuff is stored, prepared, or handled.

SEC. 4. All privies located in or near public buildings such as courthouses, depots, hotels, and schoolhouses must be well lighted and ventilated and kept in a sanitary condition at all times.

SEC. 5. No insanitary privy shall be maintained by any person near to a dairy, meat market, bakery, grocery store, or other place where food is stored, prepared, or handled. This has reference to such food as can be contaminated.

SEC. 6. No person shall misuse or abuse any public toilet of any depot, schoolhouse, hotel, or other public building or railway coach, either by writing upon the walls or by interfering with the plumbing of said toilets by throwing therein trash of any kind or otherwise.

¹ The preceding sections of this regulation were published in Reprint No. 200, p. 127.

MISSOURI.

Occupational Diseases—Employers to Provide Safeguards Against. (Act Mar. 25, 1913.)

SECTION 1. That every employer of labor in this State, engaged in carrying on any work, trade, or process which may produce any illness or disease peculiar to the work or process carried on, or which subjects the employee to the danger of illness or disease incident to such work, trade, or process, to which employees are exposed, shall, for the protection of all employees engaged in such work, trade, or process, adopt and provide approved and effective devices, means, or methods for the prevention of such industrial or occupational diseases as are incident to such work, trade, or process.

SEC. 2. The carrying on of any process, or manufacture, or labor in this State in which antimony, arsenic, brass, copper, lead, mercury, phosphorus, zinc, their alloys or salts, or any poisonous chemicals, minerals, acids, fumes, vapors, gases, or other substances, are generated or used, employed, or handled by the employees in harmful quantities, or under harmful conditions, or come in contact with in a harmful way, are hereby declared to be especially dangerous to the health of the employees.

SEC. 3. Every employer in this State to which this act applies shall provide for and place at the disposal of the employees so engaged, and shall maintain in good condition without cost to the employees, working clothes to be kept and used exclusively by such employees while at work and all employees therein shall be required at all times while they are at work to use and wear such clothing; and in all processes of manufacture or labor referred to in this section which are productive of noxious or poisonous dusts, adequate and approved respirators shall be furnished and maintained by the employer in good condition and without cost to the employees, and such employees shall use such respirators at all times while engaged in any work productive of noxious or poisonous dusts.

SEC. 4. Every employer engaged in carrying on any process or manufacture referred to in section 2 of this act shall, as often as once every calendar month, cause all employees who come into direct contact with the poisonous agencies or injurious processes referred to in section 2 of this act to be examined by a competent licensed and reputable physician for the purpose of ascertaining if there exists in any employee any industrial or occupational disease or illness or any disease or illness due or incident to the character of the work in which the employee is engaged.

SEC. 5. It is hereby made the duty of any licensed physician who shall make a physical examination of any employee under the provisions of section 4 of this act, to make within 24 hours a triplicate report thereof to the State board of health of the State of Missouri upon blanks to be furnished by said board upon request, and if any such disease or illness is found, the physician shall so report, and if any such disease is found, the report shall state the name and address and business of such employer and the nature of the disease in precise and definite terms of all the diseases or illness with which the employee is afflicted and the probable extent and duration thereof, the name and business of employer, and the last place and length of employment: *Provided*, That the failure of any such physician to receive blanks from the State board of health for making such a report shall not excuse the physician from making the report as herein required. Any physician who shall fail to make a report as required by this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not

less than \$50, and in each case shall stand committed until such fine and costs are paid unless otherwise discharged by due process of law.

SEC. 6. The secretary of the State board of health shall, immediately upon receipt of any report from any physician in accordance with the provisions of section 5 of this act, transmit a copy thereof to the State factory inspector, and a copy to the superintendent of the factory in which the employee is supposed to have contracted his ailment.

SEC. 7. Every employer engaged in carrying on any process or manufacture or labor referred to in section 2 of this act, shall provide, separate and apart from the workshop in which such employees are engaged, a dressing room and lavatory for the use of such employees who are exposed to poisonous or injurious dusts, fumes, and gases, and such lavatory shall be kept and maintained in a hygienic and sanitary manner and provided with a sufficient number of basins or spigots with adequate washing facilities, including hot and cold water, clean individual towels and soap, and sufficient shower baths, and the dressing room shall be furnished with compartment lockers, so that the ordinary street clothes of such employees shall be kept separate and apart from their working clothes. Male and female employees shall be provided for separately.

SEC. 8. No employee shall take or be allowed to take any food or drink of any kind into any room or apartment in which any process or manufacture or labor referred to in section 2 of this act is carried on, or in which poisonous substances or injurious or noxious fumes, dusts, or gases, are present as the result of such work or process being carried on in such room or apartment, and the employees shall not remain in any such room or apartment during the time allowed for meals, and suitable provision shall be made and maintained by the employer for enabling the employees to take their meals elsewhere in such place of employment, and a sufficient number of sanitary drinking fountains containing wholesome drinking water, and providing ice for same, shall be provided and maintained for the use of the employees within reasonable access and without cost to them.

SEC. 9. All employers engaged in carrying on any process or manufacture or labor referred to in section 2 of this act shall provide and maintain adequate devices for carrying off all poisonous or injurious fumes from any furnaces which may be employed in any such process or manufacture or labor, and shall also provide and maintain adequate and efficient facilities for carrying off all injurious dust, and the floors in any room or apartment where such work or process is carried on shall be kept and maintained in a smooth and hard condition, and no sweeping shall be permitted during working hours except where the floor in such workshop is dampened so as to prevent the raising of dust; and all ore, slag, dross, and fume shall be kept in some room or apartment separate from the work occupied by the employees, and all mixing and weighing of such ore, slag, dross, or fume shall be done in such separate room or apartment, and all such material shall be dampened or covered before being handled or transported by employees.

SEC. 10. When any flues or other apparatus are used in any such process or manufacture or labor referred to in section 2 of this act, and when such flues or other apparatus are being cleaned or emptied, the employer shall in every case provide and maintain a sufficient, adequate, and efficient means or device, such as canvas bags or other approved device, or by dampening the dust, or some other efficient method for catching and collecting the dust and preventing it from unreasonably fouling or polluting the air in which the employees are obliged to work, and, wherever practicable, the dust occasioned in any process or manufacture referred to in section 2 of this act, and in any polishing or finishing therein, shall be dampened or wet down or covered, and every reasonable precaution shall be adopted by the employer to prevent the unnecessary creation or raising of dust, and all floors shall be washed or scrubbed at least once every working day; and such parts of the work or process as are especially dangerous to the employees, on account of poisonous fumes, dusts, and gases shall, where practicable, be carried on in separate rooms and under cover of

some suitable and efficient device to remove the danger to the health of such employees as far as may be reasonably consistent with the manufacturing process, and the fixtures and tools employed in any such process or manufacture or labor shall be thoroughly washed and cleaned at reasonable intervals.

SEC. 11. All hoppers or chutes or similar devices used in the course of any process or manufacture referred to in section 2 of this act shall be provided with a hood or covering, and an adequate and efficient apparatus or other proper device for the purpose of drawing away from the employees noxious, poisonous, or injurious dusts, and preventing the employees from coming into unnecessary contact therewith; and all conveyances or receptacles used for the transportation about or the storage in any place where any such process or manufacture or labor referred to in section 2 of this act is carried on, shall be properly covered or dampened in such a way as to protect the health of the employees, and no refuse of a dangerous character incident to the work or process carried on in any such place shall be allowed to remain accumulated on the floors thereof.

SEC. 12. It shall be the duty of the State factory inspector to enforce the provisions of this act and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State, and for that purpose the State factory inspector and his assistants are empowered to and shall visit and inspect, at least once a year, and at reasonable hours, and as often as practicable, all places of employment covered by the provisions of this act.

SEC. 13. For the purpose of disseminating a general knowledge of the provisions of this act and of the dangers to the health of employees in any work or process covered by the provisions of this act, the employer shall post in a conspicuous place in every room or apartment in which any such work or process is carried on, appropriate notices of the known dangers to the health of any such employees arising from such work or process, and simple instructions as to any known means of avoiding, so far as possible, the injurious consequences thereof, and the State factory inspector shall have prepared a notice covering the salient features of this act, and furnish a reasonable number of copies thereof to employers in this State affected by the provisions of this act, which notice shall be posted by every such employer in a conspicuous place in every room or apartment in such place of employment. The notices required by this section shall be printed on cardboard of suitable character and the type used shall be such as to make them easily legible.

SEC. 14. Any person, firm, or corporation who shall, personally or through any agent, violate any of the provisions of this act, or who fails or refuses to comply with any of its requirements, or who obstructs or interferes with any examination or investigation being made by the State department of factory inspection in accordance with the provisions of this act, or any employee who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$25 or more than \$200 and in each case shall stand committed until such fine and costs are paid, unless otherwise discharged by due process of law.

SEC. 15. In this act, unless the context otherwise requires, "employer" includes persons, partnerships, and corporations.

MONTANA.

Communicable Diseases—Control of. (Reg. Bd. of H., Apr. 3, 1913.)

TUBERCULOSIS.

REGULATION 1. *Care of tuberculosis in hospitals.*—All hospitals accepting for treatment or care any person suffering from tuberculosis shall provide separate quarters, rooms, or wards for such cases, and such quarters, rooms, or wards shall not be used for the treatment or care of any persons not afflicted with tuberculosis.

REG. 2. Where tuberculosis patients are committed to any county hospital or county poor farm provisions for their care must be provided as required for hospitals, as in regulation 1.

REG. 3. All sputum must be received in a sputum cup that can be burned, or in napkins. All cups must be removed at least three times in 24 hours and as much oftener as may be necessary. Immediately after changing the sputum cup, or napkins, they must be burned.

REG. 4. All surgical dressings removed from a tuberculous lesion must be immediately burned.

REG. 5. In hospitals or other institutions of a public character where persons suffering from tuberculosis are received for care or treatment separate bedding, towels, dishes, and nappery must be provided for such persons, and all such bedding, towels, etc., must at all times be kept entirely separate from those provided for other patients.

REG. 6. When any dwelling is vacated after having been occupied by any persons known to have been suffering from tuberculosis, such dwelling shall be thoroughly disinfected in the manner prescribed by the State board of health for all other communicable diseases, except that the time the house shall remain closed for the action of formaldehyde gas shall be eight hours instead of four.

REG. 7. When any room or compartment in any hotel, lodging house, or compartment house has been occupied by any person known to have been suffering from tuberculosis, such room or compartment, upon being vacated, shall be thoroughly disinfected in manner prescribed in regulation 6.

WHOOPIING COUGH.

REG. 1. When a case of whooping cough is reported to the local or county health officer, he must placard the house in which such case occurs with a card bearing the words "Whooping cough here," in letters not less than 6 inches high, and he must notify occupants of such house that no person suffering from whooping cough shall be allowed to attend school, church, or other public gathering, nor shall such a person be allowed to enter a railway car or other public conveyance until such time as the local, county, or State health officer shall determine that the case is no longer capable of transmitting the disease.

REG. 2. No milk can be sold from a dairy on whose premises a case of whooping cough exists unless such case is isolated in a manner meeting with the approval of the local, county, or State health officer.

POLIOMYELITIS (INFANTILE PARALYSIS).

REG. 1. Patients suffering from poliomyelitis must be isolated as thoroughly as possible, and room in which patient is confined must be thoroughly screened against flies.

REG. 2. The house in which a patient suffering from poliomyelitis is confined must be placarded by the health officer, thus, "Poliomyelitis here," in letters not less than 6 inches high.

EPIDEMIC CEREBROSPINAL MENINGITIS.

REG. 1. Houses in which a case of cerebrospinal meningitis occurs must be placarded by the local or county health officer, thus, "Cerebrospinal meningitis here," in letters not less than 6 inches high.

REG. 2. Cases of cerebrospinal meningitis must be isolated as thoroughly as possible.

REG. 3. On recovery or death of such cases, rooms in which cases were confined must be disinfected in the manner prescribed by the State board of health.

Communicable Diseases—Dissemination by Insects—State Board of Entomology Created. (Chap. 120, Act Mar. 18, 1913.)

SECTION 1. There is hereby created the Montana State Board of Entomology, which shall be composed of the State entomologist, the secretary of the State board of health, and the State veterinarian.

SEC. 2. The secretary of the State board of health shall be chairman of said board and the State entomologist shall be secretary.

SEC. 3. None of the members of said board shall receive any compensation other than that already allowed by law except that the actual expenses of members while engaged in the duties incident to the work of said board shall be paid out of the appropriation made to carry on the work of said board.

SEC. 4. It shall be the duty of said board to investigate and study the dissemination by insects of diseases among persons and animals, said investigation having for its purpose the eradication and prevention of such diseases.

SEC. 5. Said board shall take steps to eradicate and prevent the spread of Rocky Mountain tick fever, infantile paralysis, and all other infectious or communicable diseases that may be transmitted or carried by insects.

SEC. 6. Said board shall have authority to make and prescribe rules and regulations, including the right of quarantine over persons and animals in any district of infection, and shall have the right to designate and prescribe the treatment for domestic animals to prevent the spread of such diseases; but said board shall not have the right to prescribe or regulate the treatment given to any person suffering from any infectious or communicable disease.

SEC. 7. All rules and regulations of the State board of entomology shall be subject to approval by the State board of health.

SEC. 8. The board shall publish, in printed form, all rules and regulations which shall be adopted by said board for the eradication and control of diseases of any kind, and such rules and regulations shall be circulated among the residents of every district affected thereby.

SEC. 9. Any person who shall violate any of the rules or regulations of the State board of entomology shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not in excess of \$100 or by imprisonment in the county jail for any period not exceeding 30 days, or by both such fine and imprisonment.

SEC. 10. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of \$5,000, or so much thereof as may be necessary, to carry on the work of the State board of entomology for the year 1913, and the sum of \$5,000, or so much thereof as may be necessary, to carry on the work of said board for the year 1914. Said money to be expended under the direction and approval of the State board of examiners.

SEC. 11. All acts and parts of acts in conflict with this act are hereby repealed.

Trachoma—Children Suffering from, not to Attend School. (Reg. Bd. of H., July 14, 1913.)

REGULATION 1. No child suffering from trachoma shall be allowed to attend any public school in the State of Montana.

REG. 2. Teachers having reasons to believe that any of the children under their care are suffering from trachoma shall notify the county or local health officer and the parents of said children.

Schools—Instruction Regarding Communicable Diseases. (Act Mar. 12, 1913.)

612. Prevention of communicable diseases.—1. There shall be taught in every year in every public school of elementary grade in Montana the principal modes by which each of the dangerous communicable diseases spread, and the method for the restriction and prevention of each such diseases as smallpox, diphtheria, scarlet fever, measles, tuberculosis, chicken pox, and such other diseases as may be named, and attention called to the same by the board of health of this State.

2. School boards shall annually send to the public school superintendents and teachers throughout the State printed data and statements which will enable them to comply with the provisions of this chapter.

3. School boards are hereby required to direct superintendents and teachers to give oral and blackboard instruction, using the data and statements supplied by the State board of health.

4. Neglect or refusal on the part of any superintendent or teacher to comply with the provisions of this chapter shall be considered a sufficient cause for dismissal from the school by the school board.

5. Any member of any school board who shall willfully neglect or refuse to comply with any provisions of this chapter shall be deemed guilty of a misdemeanor and shall be subject to punishment by a fine not exceeding \$100.

Milk and Milk Products—Production, Care, and Sale. (Chap. 77, Act Mar. 13, 1913.)

SEC. 3. Duties of the State dairy commissioner.—It shall be the duty of the said State dairy commissioner or his deputies to inspect or cause to be inspected all creameries, dairies, butter, cheese, condensed milk, or ice-cream factories, or any place where milk or cream or their products are produced, handled, or stored within the State at least once a year or oftener, if possible. It shall be the duty of the said dairy commissioner to act upon all reports or complaints that he may receive from owners and managers of public dairies, creameries, butter, cheese, condensed-milk, and ice-cream factories, or other persons, wherein it is reported to him the names and locations of one or more producers of milk, cream, butter, cheese, condensed milk, or ice cream who are offering for sale milk, cream, butter, cheese, condensed milk, or ice cream that is not fresh and clean, and in such instance he may inspect barns or farmhouses, creameries, factories, or other places where dairy products or utensils are produced, kept, stored, handled, or sold, and he may give advice and instruction in the proper performance of the work, and he may prohibit the sale of unclean or unwholesome milk, cream, butter, cheese, condensed milk, or ice cream.

It shall be his duty to condemn for food purposes all unclean or unwholesome milk, cream, butter, cheese, condensed milk, or ice cream wherever he may find them. This is to include all dairy products produced or manufactured where proper rules of sanitation are not observed. That where he condemns unclean or unwholesome dairy products said products must be so treated as to render impossible the manufacture or renovation of such products for human food. That he shall in all cases where he finds that the law as herein provided has been violated, it shall be his duty to so inform the county attorney where the violation has been committed, and that said county attorney shall then investigate the charges of violation of this act made in his county and to prosecute all cases where evidence of guilt is shown.

* * * * *

The said State dairy commissioner and his deputies are hereby authorized, and it shall be his duty to enter at any time all creameries, public dairies, cheese, condensed milk, and ice-cream factories, or other places where dairy products are manufactured, produced, stored, or kept for sale or transportation, for the purpose of inspecting the same; to take samples anywhere of dairy products, or imitation thereof, suspected of being made or sold in violation of the law, and cause the same to be analyzed or satisfactorily tested by the chemist of the State pure-food department.

That the sample taken as above prescribed shall be taken in duplicate and one of the same delivered to the manufacturer of the dairy product so sampled. Due notice in writing shall be given to the manufacturer of the date and hour on which a sample will be tested or analyzed by the chemists of the State pure-food department so that the manufacturer or his representative may be present at such test or analysis.

The State dairy commissioner or his deputies shall have the power to examine, under oath or otherwise, any person whom they believe has knowledge concerning the violation of any provision of this act.

The said State dairy commissioner shall make an annual report to the governor not later than January 1 of each year.

SEC. 4. For the enforcement of the sections of this act "sanitary" will mean that all creameries, dairies, butter, cheese, condensed-milk, or ice-cream factories, or any place where milk, cream, or any of their products are produced, handled, or stored within the State shall score as much as 65 per cent of the Government score card or modifications thereof, suitable to the conditions of Montana. Each inspector or person authorized by the State to make such inspection shall leave the owner or proprietor a duplicate of score card.

All barns, stables, or other buildings in which dairy cattle are housed or stabled shall be of such proportion as to allow 350 cubic feet of air space for each and every cow therein. All such buildings must be lime washed throughout at least once every year and have 2 square feet opening for every animal stabled therein, but the specifications as herein prescribed shall not be deemed to apply to persons who milk but five cows or less.

All manure accumulating in such buildings to be removed at least once every 24 hours, and during the months May to September, inclusive, of each year, must be deposited at a distance not less than 50 feet from such buildings.

The State dairy commissioner shall keep a record of each inspection with the address of the premises inspected, and shall record the number of cows kept and the quality of dairy products handled.

SEC. 5. *Definitions.*—Milk is the fresh, clean lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, and contains not less than 8.5 per cent of solids not fat, and not less than 3.25 per cent of milk fat.

Adulterated milk is milk containing more than 88 per cent water and less than 11.75 per cent of total solids, 8.5 per cent solids not fat, and 3.25 per cent fat, except milk for manufacture; milk which has been diluted with water or into which has been introduced any foreign substance whatever. This includes all substances added for the purpose of preserving, coloring, and thickening milk or cream, or milk handled in an insanitary manner.

Cream is that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, fresh and clean, and contains not less than 20 per cent of milk fat.

Butter is the clean accumulated milk fat from unadulterated milk or cream with or without the addition of salt or coloring matter, containing not less than 82.5 per cent of butter fat and not more than 16 per cent water.

Cheese is the sound, solid, and ripened product made from milk or cream by coagulating the casein thereof with rennet or lactic acid, with or without the addition of ripening ferments, seasoning, and coloring matter, and contains, in the water-free substance, not less than 60 per cent of milk fat.

Ice cream is a frozen product made from cream, gelatin, and sugar, with or without flavoring, and contains not less than 14 per cent of milk fat and not more than 1 per cent pure gelatin.

Oleomargarine, butterine, imitation butter, or imitation cheese are substances made in imitation of butter or cheese, but not entirely from pure milk or cream in the usual way. They may be construed to mean any article or substance into which any oil, lard, or fat not produced milk or cream enters as a component part.

SEC. 6. *Adulterated milk.*—No person shall sell or exchange or offer or expose for sale or exchange as milk or cream any unclean, impure, adulterated, or unwholesome milk, or unclean, impure, adulterated, colored, or unwholesome milk or cream, or sell or exchange, or offer or expose for sale or exchange, any substance in imitation or semblance of milk or cream which is not milk or cream, nor shall they sell or exchange, or offer or expose for sale or exchange, any such substance as and for milk or cream, or sell or exchange, or offer or expose for sale or exchange, any article of food made from such milk or cream, or manufacture from any such milk or cream any article of human food. Any person delivering milk or cream to any butter or cheese factory, condensing milk-gathering station, or railway station to be shipped to any city, town, or village shall be deemed to expose or offer the same for sale whether the said milk or cream is consigned to himself or another. Each and every can thus delivered, shipped, or consigned, if it be not pure milk or cream, must bear a label or card upon which shall be plainly and legibly stated the constituents or ingredients of the contents of the can. There shall be no limit to the percentage of fat contained in unadulterated milk or cream sold to creameries for the sole purpose of manufacture into butter.

SEC. 7. *Milk, cream, or ice-cream vessels.*—No person or persons shall, without the consent of the owner or owners, use, sell, dispose of or traffic in any milk cans, jars, bottles, or milk or ice-cream receptacles belonging to any dealer or shipper of milk or milk products having the name or initials of the owner on such cans, jars, bottles, or other receptacles. No person shall willfully mar, change, or erase the name or initials stamped or fastened upon sealed milk receptacles or vessels for other purposes, nor place any other substance than milk or its products in them.

Cleaning vessels before return.—Whenever any cans, vessels, or other receptacles used in the transportation of milk, cream, or their products are returned to the producer for a fresh shipment of the product, they must be thoroughly cleaned by washing rinsing and scalding, so as to make their condition sanitary and suitable as a receptacle for fresh milk and cream or their products. No person shall place or suffer to be placed in any such can or receptacle any sweeping, dirt, filth, or any animal or vegetable substance tending to produce or promote an insanitary condition. Milk, cream, or ice cream shall not be handled in cans rusted inside.

SEC. 8. *Insanitary places and appliances for milk.*—No person shall produce or keep milk or any of its products intended for sale or exchange in any building or place where conditions are insanitary and unfavorable to the production of wholesome foods.

SEC. 9. *Butter and cheese factories.*—Operators of all cooperative butter, cheese, and condensed-milk factories shall keep their books open for inspection of any patron at all times, showing the daily amounts of milk and cream received and the per cent and amount of fat in the milk and cream received from each patron, and the amounts of cream sold and butter, cheese, or condensed milk manufactured daily. Every facility should be offered to the patron for keeping himself informed in regard to the business of the butter, cheese, and condensed-milk factory, and checking up his daily product with his returns.

SEC. 10. *Reporting factories.*—It shall be the duty of every cheese factory, creamery, butter and condensed-milk factory, or skimming station in the State, where milk is purchased or contributed by three or more persons, to register the location of such cheese factory, creamery, butter or condensed-milk factory, or skimming station, and

the name of its owner or manager with the dairy commissioner on or before the 1st day of April of each year. Before the organization of any new factory notice shall be given at once to said dairy commissioner.

Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., Apr. 3, 1913.)

REGULATION 1. The use of the common or public drinking cup is hereby prohibited in all hotels, restaurants, lodging houses, and other public places.

REG. 2. The common roller towel is hereby abolished in all hotels, restaurants, lodging houses, and other public places.

Public Conveyances and Stations—Communicable Diseases in—Sanitary Regulations for. (Reg. Bd. of H., Apr. 3, 1913.)

The following rules and regulations of the Northwestern Sanitation Association were also adopted by the Montana State Board of Health:

COMMUNICABLE DISEASES.

REGULATION 1. No person having reason to believe that he or she is suffering from cholera, diphtheria (or membranous croup), plague, scarlet fever, smallpox, yellow fever, chicken pox, or measles shall enter, nor shall any person permit anyone under his or her care so infected to enter, any public conveyance or common carrier.

REG. 2. All conductors of railroad trains and street cars and captains of boats, if they have any reason to suspect any passenger to be suffering from any disease enumerated in regulation 1, shall immediately notify the nearest health officer or company physician (when the health officer is not available) located on their route, by the most direct and speedy means possible, of their belief, and such health officer or company physician must meet such railroad train at the station or such street car or boat at the nearest possible point and make a thorough examination of such person and determine whether or not such disease exists.

REG. 3. When the health officer or physician notified as provided in regulation 2 shall find any person in a car, boat, or other public conveyance to be afflicted with smallpox, diphtheria, scarlet fever, or other quarantinable disease, the car, boat, or other public conveyance shall be turned over to the health officer or physician, who shall treat such conveyance as infected premises. When, in the judgment of the health officer or physician, the case is in such early stage of development that other passengers are not affected, the patient shall be removed from the conveyance and it shall be allowed to proceed. If the health officer or physician shall deem that the exposure is such as to have infected other passengers, he shall call upon the person in charge to remove infected conveyance from service at the first place where suitable accommodations can be secured, and such health officer or physician shall notify the health officer in whose jurisdiction the infected conveyance is left.

SPITTING AND CUSPIDORS.

REG. 4. No person shall spit on the floor, furnishings, or equipment of any public conveyance, eating room, depot, platform, waiting room, deck, or wharf. Each common carrier is hereby required to post or display in each day coach, smoking car, or boat a notice in form or substance as follows:

For cars: "Spitting and throwing of refuse on the floor, furnishings, or vestibules of this car are prohibited by law."

For waiting rooms, eating rooms, toilets: "Spitting and throwing of refuse on the floor or furnishings of this room are prohibited by law."

For boats: "Spitting and throwing of refuse on the deck, floors, or furnishings, or in toilet rooms of this boat are prohibited by law."

REG. 5. Each sleeping car shall be furnished with one spittoon for each section or compartment. Each smoking compartment in day coaches, chair, parlor, and sleeping cars shall be furnished with at least two spittoons. Each smoking car shall be provided with at least 12 spittoons. Each combination smoking car shall be provided with at least six spittoons. Each boat carrying passengers shall provide one spittoon or more for each stateroom and general smoking saloon.

DRINKING WATER AND ICE.

REG. 6. The drinking water and ice supply used in stations and on public conveyances shall contain no ingredients deleterious to health. In the construction of new equipment all receptacles for drinking water should be so constructed that they can not be opened readily by anyone except those having charge of them. Nothing but ice and water shall be placed in the receptacles used for the storage of drinking water. The receptacle for drinking water shall be kept thoroughly clean at all times and shall be drained and flushed at car-cleaning terminals. When a water-borne disease has developed in epidemic form in a municipality, water from such place for car tanks shall not be used without the approval of the State board of health.

COMMON DRINKING CUPS.

REG. 7. The use of the common or public drinking cup is prohibited on all public conveyances and in waiting rooms.

CLEANING.

REG. 8. All public conveyances, including toilet rooms therein, shall be kept in a reasonably clean condition at all times. Dry sweeping and dusting of occupied conveyances is strictly prohibited.

REG. 9. At cleaning terminals all passenger equipment shall be thoroughly cleaned and aired and after such cleaning the hoppers, urinals, and toilet floors shall be mopped with a 1 or 2 per cent solution of official formaldehyde.

REG. 10. Upon arrival at cleaning terminals, sleeping cars shall be cleaned as follows: The windows, doors, and ventilators shall be opened; the upper berths let down; the seat bottoms and backs lifted out; the mattresses, blankets, pillows, curtains, etc., loosely arranged for airing. If the weather permits, the removable articles mentioned above shall be taken out of the car, dusted and aired in the open, and exposed to the sunlight for a time. The rest of the cleaning of the car shall be carried out as directed for day coaches under regulation 9.

FUMIGATION OF SLEEPING CARS.

REG. 11. Sleeping cars shall be fumigated at least once every two months, and after the car is known to have carried any infectious disease. Fumigation shall be carried out before the carpets have been removed or the cleaning of the car begun, and record shall be posted in the car showing where and when the fumigation was done. Preparation for fumigation shall be as follows: Close all outside doors, windows, deck sash, and ventilators. Arrange one window or more on each side of the car so that it can be opened from the outside to avoid the necessity of entering the car while the formaldehyde fumes are strong. Open all interior doors. Pull the seats forward and loosen the pillows in the pillow boxes. Open the upper berths and lay the headboards across the seats so that one corner will rest upon the seat arm. Lay the lower mattresses on the headboards with the middle arched upward, the ends being pushed together. Raise the curtain poles and hang the curtains near the end by a single hook. Throw the blankets over the curtain poles, making as few folds or thicknesses of the blanket as possible. Arch the upper mattresses in the upper berths.

Fumigation shall be carried out along the lines approved by the State board of health. After the car has been fumigated it shall remain closed for a period of at least

three hours, after which time the doors and windows shall be opened as soon as possible. On rainy or damp days the car need not be kept closed after fumigation for a longer period than one hour.

FOOD BOXES, REFRIGERATORS, ETC.

REG. 12. In all public conveyances the food boxes, refrigerators, lockers, drawers, and cupboards shall be kept thoroughly sweet and clean at all times.

COMMON ROLLER TOWELS.

REG. 13. The common roller towel shall be abolished on all common carriers and in waiting rooms.

WATER-CLOSETS, PRIVIES, ETC.

REG. 14. All toilet rooms, water-closets, urinals, and toilet appliances in stations shall be cleaned daily, and when vaults or surface receptacles are used in connection with closets at stations such vaults or surface receptacles shall receive at least a weekly treatment with fresh lime or some other agent approved by a board of health. All outside closets shall be locked and the key kept by the agents, who shall deliver it to the patrons on request. There shall be a notice "Key at the office" posted on the closet door.

School Buildings—State Board of Health to Approve Plans. (Act Mar. 12, 1913.)

1601. *Architecture.*—No schoolhouse shall hereafter be erected, repaired, or enlarged in any school district of the State at an expense which shall exceed \$500 until the plans and specifications thereof shall have been submitted to the State board of health, and its approval indorsed thereon: *Provided*, That districts of the second and third class shall also have the approval of the superintendent of public instruction. Such plans and specifications shall show in detail the ventilation, the heating, and lighting of such building.

1602. *Floor space—Air—Light.*—The board of health shall not approve plans for the erection of any school building or addition thereto or remodeling thereof, unless the same shall provide (a) at least 15 square feet of floor space and 200 cubic feet of air space for each pupil to be accommodated in each study or recitation room therein; (b) at least 30 cubic feet of pure air per minute per pupil shall be furnished by a satisfactory ventilating system, which should also provide means for exhausting the foul or vitiating air from the room.

The light shall come from the left or from the left and rear of each schoolroom, and the window space shall be not less than one-seventh of the floor space of each room.

1603. *Penalties.*—The county treasurer shall not make any payments on any contract arising under the provisions of this chapter until the contractor furnishes a certified statement signed by the State board of health that the plans and specifications of the school building to be erected or remodeled have been fully approved by the State board of health.

1604. *Suggestive plans.*—It shall be the duty of the State board of health to furnish to all districts of the third class suggestive plans for school buildings to be erected in conformity with the above rules.

1605. *Vestibules.*—No one and two room schoolhouses shall be erected without a vestibule of reasonable size.

1606. *Care of schoolhouses.*—It shall be the duty of boards of trustees in districts of the third class to require that the school room or rooms shall be thoroughly scrubbed and cleaned, including the floors, interior woodwork, and windows, at least once every three months.

1607. *Water supply and toilet accommodations.*—The board of trustees shall furnish such water supply and toilet accommodations as shall be approved by the State board of health

Camps—Sanitary Regulations for. (Reg. Bd. of H., Apr. 3, 1913.)

REG. 15. Hereafter contractors and all other persons who may establish an industrial camp or camps, for the purpose of logging or any like industry, or for the purpose of construction of any road, railroad, or irrigation canal, or other work requiring the maintenance of camps for men engaged in such work, or any other temporary or permanent industrial camp of whatsoever nature, shall report to the State health official concerning the location of such camp or camps, and shall arrange such camp or camps in a manner approved by the State health official so as to maintain good sanitary conditions, and shall at all times keep such camp or camps in a sanitary condition satisfactory to the State health official.

REG. 16. Camps should be established upon dry, well-drained ground.

REG. 17. Any natural sink holes or collections or pools of water should be artificially drained and filled when the camp is first established.

REG. 18. The general scheme of the relation of the structure of the camps should be as follows: Stable and kitchen should be at the opposite ends of the camp and separated by a distance as great as consistent with the natural topography of the land and with the necessity for convenient access to the stables.

REG. 19. Eating houses should be next to the kitchen, and beyond the eating houses should come the bunk houses, and between the bunk houses and the stables the toilets for the men in the camp.

REG. 20. The use of the toilets provided for the men should be made obligatory, and instant discharge of any employees polluting the soil must be rigidly enforced to make such rules effective.

REG. 21. A small temporary incinerator should be constructed near the stables. Incinerators capable of doing effective work can be constructed for not over \$25 sufficient to care for all the refuse of a camp of 150 men and stables of 10 to 12 horses.

REG. 22. There must be in camps of 100 men or over one employee whose particular duty should be acting as scavenger and garbage collector.

REG. 23. All manure should be gathered and burned each day, and for the convenience of the collector should be thrown into a tightly covered box.

REG. 24. All fecal matter should be treated in the same way or else treated in some other approved manner. Collection and incineration is the safest in the long run and the easiest method by making use of the removable pan, which can be freshly limed.

REG. 25. The kitchen and eating house in particular should be effectively screened. It is also desirable to have this done for the bunk houses.

REG. 26. All garbage should be collected in tight cans and incinerated daily along with the manure and other rubbish.

REG. 27. Noninflammable refuse, such as tin cans, should be collected daily and placed in a deep earth pit and covered with a light covering of earth each day, or covered with oil and burned over.

REG. 28. All urinals should consist of open trenches lined with quicklime, and fresh quicklime should be added in the proportion of one-half barrel per day per 100 men.

REG. 29. All food supplies should be carefully screened.

REG. 30. Thorough and systematic scrubbing of kitchens and eating houses, and to a less extent bunk houses, should be regularly insisted upon.

REG. 31. The supply of water for the camp should be carefully decided upon, and wherever possible, if the camp is to remain several weeks, it is well to run it in pipes from an absolutely uncontaminated source.

REG. 32. All sick from whatever cause should be isolated from the remainder of the crew immediately.

REG. 33. All persons engaged in the care of the premises and handling of the food, particularly cooks and helpers, should be carefully examined and particular attention paid to the point as to whether or not they have suffered from typhoid fever within recent years.

NEBRASKA.

State Board of Health—Powers and Duties. (Chap. 193, Act Apr. 21, 1913.)

SECTION 1. That section 9867 of Cobbeys' Annotated Statutes for 1911 [C. S., chapter 55, article 7, section 6] is hereby amended to read as follows:

State board of health; rules; quarantine.—The State board of health shall have supervision and control of all matters relating to sanitation and quarantine necessary to the protection of the people of this State from disease arising from insanitary conditions and from contagious, infectious, and epidemic diseases; and it shall be the duty of said State board of health to formulate, adopt, and publish such proper and reasonable general rules and regulations as will best serve to promote sanitation throughout the State, and prevent the introduction or spread of disease. In addition to such general and standing rules and regulations, in cases of emergency wherein the health of the people of the entire State or any locality therein shall be menaced by or exposed to any such contagious, infectious, or epidemic disease or diseases arising from insanitary conditions, or when a local board of health having jurisdiction of a particular locality shall fail or refuse to act with sufficient promptitude and efficiency in any such emergency; or in localities wherein no local board of health shall have been established as provided by law, it shall be the duty of the board to adopt and enforce such special quarantine and sanitary regulations as the occasion and the proper protection of the public health may require; and all necessary expenses incurred in the enforcement of such rules and regulations shall be paid by the city, village, or county for and within which the same shall have been incurred. It shall be the duty of all local, municipal, and county boards of health, health authorities and officials, officers of State institutions, police officers, sheriffs, constables, and all other officers and employees of the State or of any county, city, village, or township thereof, and every person to obey and enforce such quarantine and sanitary rules and regulations as may be adopted by the State board of health; and each and every person or officer specified in this section who shall fail, neglect, or refuse to obey or enforce such rules or regulations shall, upon conviction for each and every such offense, be subject to a fine of not less than \$15 nor more than \$100.

SEC. 2. *Repeal.*—Section 9867 of Cobbeys' Annotated Statutes for 1911 is hereby repealed as it now exists.

Bacteriological and Pathological Laboratory—Establishment. (Chap. 218, Act Apr. 21, 1913.)

SECTION 1. *State board of health bacteriological and pathological laboratory, establishment.*—That there shall be and is hereby established in this State a laboratory for conducting and carrying on microscopical, bacteriological, and other scientific investigations and tests by and for the State board of health. Said laboratory to be used exclusively for the public benefit, and in cooperation with local boards of health and health officers, and under such regulations as the State board of health, on the recommendation of the secretaries thereof, may prescribe.

SEC. 2. *Same; location, director.*—Such laboratory shall be known as the State board of health bacteriological laboratory and shall be located at such place as the State board of health, on recommendation of its secretaries, may designate. The said State board of health shall appoint, on recommendation of its secretaries, a competent bacteriologist and pathologist who shall be known as director of said laboratory.

SEC. 3. Director; tests, investigations.—It shall be the duty of the director to make, or cause to be made under his personal supervision, all tests and investigations within the scope of section 1 hereof, as may be required by the State board of health or local boards of health or health officers of the State or of municipalities therein under and in accordance with rules prescribed by the State board of health, as heretofore provided.

SEC. 4. Appropriation; director, salary.—There is hereby appropriated out of the moneys in the treasury of the State not otherwise appropriated, for the equipment of said laboratory, the sum of \$5,000, and for the maintenance and running expenses of said laboratory for the biennium ensuing, that is to say, for the salary of the director, for labor, express, postage, and for incidental expenses, the sum of \$7,000: *Provided, however,* That the salary of the director, which shall be fixed by the State board of health on the recommendation of the secretaries thereof, shall not exceed the sum of \$2,400 per annum.

Appropriation—State Board of Health. (Chap. 231, Act Apr. 23, 1913.)

Appropriation "For the payment of expenses of the State government and miscellaneous items, for the biennium beginning April 1, 1913, and ending March 31, 1915":

* * * * *

STATE BOARD OF HEALTH.

Office and traveling expenses and other necessary expenses for the gathering of vital statistics and carrying out the intent of the law in behalf of the health inspector and bureau of vital statistics. \$9,000
For use in case of epidemics and for prevention of the same when authorized by unanimous vote of the State board of health..... 5,000

Total for the biennium..... 14,000

Appropriation—State Board of Health. (Chap. 233, Act Apr. 23, 1913.)

Appropriation "For the payment of salaries of officers and employees, as follows, for the biennium ending March 31, 1915":

* * * * *

STATE BOARD OF HEALTH.

Salary of health inspector..... \$1,800
For the biennium..... 3,600
Salary of stenographer..... 840
For the biennium..... 1,680

Common Drinking Cups—Prohibited in Public Places. (Chap. 82, Act Apr. 11, 1913.)

SECTION 1. Common drinking cup; State board of health.—In order to prevent the spread of communicable diseases, the State board of health is hereby authorized to prohibit in such public places, vehicles, or buildings as it may designate the providing and use of a common drinking cup and to establish such rules and regulations for this purpose as it may deem necessary.

SEC. 2. Penalty.—Whoever violates the provisions of this act, or any rule or regulation of the State board of health made under authority hereof, shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding \$25 for each offense.

NEVADA.

Communicable Diseases—Notification of Cases of—Reporting of Marriages. (Chap. 103, Act Mar. 15, 1913.)

SEC. 2. Following section 24 the following sections are to be inserted:

"SEC. 25. All cases of smallpox, diphtheria, and scarlet fever shall be reported by the attending physician to the local health officer within 24 hours after making such diagnosis, and on or before the 5th day of each month physicians shall report to the local health officer in their respective counties all cases of contagious, infectious, or communicable diseases treated by them during the preceding month. Blanks for such reports shall be supplied by the State board of health.

"SEC. 26. Any physician who shall willfully neglect or refuse to perform any duties imposed upon them by the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$5 nor more than \$25.

"SEC. 27. It shall be the duty of the county clerk, of the several counties of the State, to transmit to the secretary of the State board of health, on or before the 10th day of January and the 10th day of June of each year, the number of marriage licenses issued by him during the preceding six months."

Section 25 of said act to be renumbered and known as section 28, and the following sections numbered consecutively up to and including section 33.

Leprosy—Transportation of Persons Afflicted with, Prohibited—Disinfection. (Reg. Bd. of H., July 3, 1913.)

SECTION 1. Common carriers shall not accept for transportation nor transport in intrastate traffic any person suffering from or afflicted with leprosy, unless there has been obtained from the Surgeon General of the Public Health and Marine-Hospital Service, or his accredited representative, a permit stating that said person may be received under such restrictions as will prevent the spread of the disease, and said restrictions shall be specified in each instance.

SEC. 2. No person knowing or having reason to believe that he is a leper shall accept transportation nor engage in travel in intrastate traffic unless permits have been obtained, as set forth in the preceding section, and unless said person shall have agreed in writing to comply with the restrictions as specified in the permits mentioned above.

SEC. 3. Compartments or places in cars, vessels, or conveyances operated in intrastate traffic and that have been occupied by persons afflicted with leprosy shall be immediately closed after being vacated by the patient and so kept until after proper disinfection.

County Health Officers—Appointment, Powers, and Duties. (Chap. 103, Act Mar. 15, 1913.)

SECTION 1. Section 6 of the act of March 27, 1911, is hereby amended so as to read as follows:

"SEC. 6. The board of county commissioners shall appoint a local health officer for a period of not less than one year who shall only be removed for incompetency, and who shall act as a collector of vital statistics and is empowered to appoint such deputy or deputies as may be necessary, with the approval of the board of county commis-

sioners. For collecting and compiling the vital statistics of the county, he shall receive from the county a sum, not less than \$25 per month, and the board of county commissioners are directed to allow a claim for this or for such greater sum as they may deem proper for the work performed; the deputies appointed by the local health officer, with the approval of the county commissioners, shall be paid in the same manner, a sum not to exceed \$25 per month for registering and compiling the data prescribed by the State board of health and by this act. The deputy health officers shall file with the local health officer monthly reports not later than the 5th day of each month, which said report shall be compiled by the local health officer and forwarded to the secretary of the State board of health not later than the 10th day of each month. In counties where deputy registrars are appointed the county commissioners shall allow them a monthly salary, or the sum of \$1 for each birth and death certificate executed by them."

Bodies—Transportation of Dead—Communicable Diseases. (Reg. Bd. of H., July 3, 1913.)

RULE 1. The transportation of bodies dead of smallpox or bubonic plague through the State is absolutely prohibited.

RULE 2. The transportation of bodies dead of Asiatic cholera, yellow fever, typhus fever, diphtheria (membranous croup), scarlet fever (scarlatina, scarlet rash), erysipelas, glanders, anthrax, or leprosy shall not be accepted for transportation unless prepared for shipment by being thoroughly disinfected by (a) arterial and cavity injection with an approved disinfecting fluid; (b) disinfection and stopping of all orifices with absorbent cotton; and (c) washing the body with the disinfectant, all of which must be done by an embalmer holding a certificate as such, issued by the State Board of Embalmers of Nevada, provided for by law.

After being disinfected as above such body shall be enveloped in a layer of dry cotton not less than 1 inch thick, completely wrapped in a sheet securely fastened and incased in an air-tight zinc, tin, copper, or lead lined coffin or iron casket, all joints and seams hermetically sealed and all inclosed in a strong, tight, wooden box. Or the body, being prepared for shipment by disinfecting and wrapping, as above, may be placed in a strong coffin or casket and said coffin or casket inclosed in an air-tight zinc, copper, or tin lined box, all joints and seams hermetically soldered.

RULE 3. The bodies of those dead of typhoid fever, puerperal fever, tuberculosis, or measles may be received for transportation when prepared for shipment by arterial and cavity injection with an approved disinfecting fluid, washing the exterior of the body with the same, and enveloping the entire body with a layer of cotton not less than 1 inch thick and all wrapped in a sheet securely fastened and incased in an air-tight metallic coffin or casket or air-tight metal-lined box: *Provided*, That this shall only apply to bodies which can reach their destination within 30 hours from the time of death. In all other cases such bodies shall be prepared by a licensed embalmer holding a certificate as provided for in rule 2. When prepared by a licensed embalmer as defined and directed in rule 2, the air-tight sealing and bandaging with cotton may be dispensed with.

RULE 4. The bodies of those dead from any cause not stated in rules 2 and 3 may be received for transportation when incased in a sound coffin or casket and inclosed in a strong outside wooden box, provided they can reach their destination within 30 hours from the time of death. If the body can not reach its destination within 30 hours from the time of death, it must be prepared for shipment by arterial and cavity injection with approved disinfecting fluid, washing the exterior of the body with the same, and enveloping the entire body with a layer of dry cotton not less than 1 inch thick, and all wrapped in a sheet securely fastened and incased in an air-tight metallic coffin or casket or an air-tight metal-lined box. But when the body has been prepared for shipment by being thoroughly disinfected by a licensed embalmer, as

defined and directed in rule 2, the air-tight sealing and bandaging with cotton may be dispensed with.

RULE 5. In the shipment of bodies dead from any disease named in rule 2 such body must not be accompanied by persons or articles which have been exposed to the infection of the disease unless certified by the health officer as having been properly disinfected.

RULE 5. (The following is rule 8 of the American Public Health Association:) Every disinterred body, dead from any disease or cause, shall be treated as infectious or dangerous to the public health, and shall not be accepted for transportation unless said removal has been approved by the State board of health and the local health officer having jurisdiction where such body is disinterred, and the consent of the health authorities of the locality to which the corpse is consigned has been first obtained; and all such disinterred remains, or the coffin or casket containing the same, must be wrapped in a woollen blanket thoroughly saturated with a 1:1,000 solution of corrosive sublimate, and inclosed in a hermetically soldered zinc, tin, or copper lined box. But bodies deposited in receiving vaults shall not be treated and considered the same as buried bodies, when originally prepared by a licensed embalmer as defined in rule 2, and as directed in rules 2 and 3 (according to the nature of the disease causing death), providing shipment takes place within 30 days from the time of death. The shipment of bodies prepared in the manner above directed by licensed embalmers from receiving vaults may be made within 30 days from the time of death without having to obtain permission from the health authorities of the locality to which the body is consigned. After 30 days the casket or coffin box containing said body must be inclosed in a hermetically soldered box.

RULE 6. Disinterred bodies, dead from any cause defined in rule 2, may be disinterred and received for transportation at any time, provided that said removal has first been approved by the Nevada State Board of Health and the local health officer within whose jurisdiction said shipment is made. For interstate transportation, permission must first be obtained from the health authorities of the locality to which the body is consigned.

All bodies dead of any disease mentioned in rule 2 may be received for transportation at any time, provided said body has been prepared strictly in accordance with rule 5; all of which must be done by an embalmer holding a certificate as such from the State Board of Embalmers of Nevada, provided by law.

Common Drinking Cups and Common Towels—Common Carriers Must not Provide.
(Reg. Bd. of H., July 3, 1913.)

SECTION 1. Common carriers shall not provide in cars, vehicles, vessels, or conveyances operated in intrastate traffic, or in depots, waiting rooms, or other places used by passengers, any drinking cup, glass, or vessel for common use: *Provided*, That this regulation shall not be held to preclude the use of drinking cups, glasses, or vessels which are thoroughly cleansed by washing in boiling water after use by each individual, nor shall it be held to preclude the use of sanitary devices for individual use only.

SEC. 2. Common carriers shall not provide in cars, vehicles, vessels, or conveyances operated in intrastate traffic, or in depots, waiting rooms, or other places used by passengers, any towel for use by more than one person: *Provided*, That towels may be used again after having been sterilized with boiling water.

Drinking Water and Ice—Provided by Common Carriers—Regulations Governing.
(Reg. Bd. of H., July 3, 1913.)

Water provided by common carriers on cars, vessels, or vehicles operated in intrastate traffic for the use of passengers shall be furnished under the following conditions:

(a) Water shall be certified by the State or municipal health authority within whose jurisdiction it is obtained as incapable of conveying disease: *Provided*, That water in regard to the safety of which a reasonable doubt exists may be used if the same has been treated in such manner as to render it incapable of conveying disease and the fact of such treatment is certified by the aforesaid health officer.

(b) Ice used for cooling such water shall be from a source the safety of which is certified by the State or municipal health authority within whose jurisdiction it is obtained, and before the ice is placed in the water it shall first be carefully washed with water of known safety and handled in such a manner as to prevent its becoming contaminated by the organisms of infectious or contagious diseases: *Provided*, That the foregoing shall not apply to ice which does not come in contact with the water which is to be cooled.

(c) Water containers shall be cleansed and thoroughly scalded with live steam at least once in each week that they are in operation.

NEW HAMPSHIRE.

Occupational Diseases—Notification of. (Chap. 118, May 7, 1913.)

SECTION 1. *Report of occupational diseases.*—Every physician in this State attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury or their compounds, or from anthrax, or from compressed-air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within 48 hours send to the State board of health a report stating:

- (a) Name, address, and occupation of patient.
- (b) Name, address, and business of employer.
- (c) Nature of disease.

(d) Such other information as may be reasonably required by the State board of health. The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for. The posting of the report, within the time required, in a stamped envelope addressed to the office of the State board of health, shall be a compliance with this section.

SEC. 2. *Blanks for reports.*—The State board of health shall prepare and furnish, free of cost, to the physicians included in section 1, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the State board of health.

SEC. 3. *Reports not evidence.*—Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported.

SEC. 4. *Penalty.*—Any physician who neglects or refuses to send the report or reports as herein required shall be liable to the State for a penalty of \$5 for each offense, recoverable by civil action by the State board of health.

SEC. 5. *Transmission of reports.*—It shall furthermore be the duty of the State board of health to transmit a copy of all such reports of occupational disease to the commissioner of labor.

SEC. 6. *Time of taking effect.*—This act shall take effect on the 1st day of July, 1913.

Tuberculosis—Bulletins for Instruction of School-Teachers. (Chap. 17, Act Mar. 6, 1913.)

SECTION 1. The State board of health is authorized and instructed to prepare, or cause to be prepared, such bulletin or bulletins on the cause, restriction, and prevention of tuberculosis, embodying such facts, suggestions, and regulations as in its judgment shall best instruct the public in methods of prevention and restriction, including the proper sanitary management of said disease.

SEC. 2. It shall be the duty of the board of education of every school district in the State to furnish each teacher of a public school a sufficient number of copies of each bulletin, whenever issued, as to enable the said teacher, whose duty it shall be to distribute one copy to each family represented in said school district.

SEC. 3. The board of education shall ascertain, approximately, the number of copies of said bulletin that may be required under the provisions of the foregoing section, and shall report the same to the State board of health within 30 days after request is made for same by said State board of health.

SEC. 4. The State board of health shall, as soon as practicable after ascertaining the number of copies of said bulletin that will be required for the distribution herein

provided for, cause to be printed and forwarded to each board of education a sufficient number of copies to meet the requirements of section 2 of this act, and such additional number of copies as in the judgment of the said board may be otherwise profitably distributed.

SEC. 5. This act shall take effect and be in force on and after May 1, 1913.

Tuberculosis—Treatment of Indigent Patients in Institutions. (Chap. 265, Joint Res. May 21, 1913.)

That for the treatment of persons afflicted with tuberculosis, particularly in the advanced stage, and who are unable to pay the cost of such treatment, and for the encouragement of the establishment and maintenance of sanatoria for the treatment of such persons, the State board of charities and correction be and hereby are authorized to engage free beds in such sanatoria or other places as have been approved by the State board of health for the treatment of such persons as the State board of charities and correction may specify. Indigent consumptives, citizens of the State, who are unable to pay any part of the cost of said treatment, may be admitted to said free beds by the authority of the secretary of the State board of charities and correction in accordance with the ordinary regulations of said sanatoria. Persons in needy circumstances, who, by themselves, relatives, or friends, are unable to pay part of the cost of said treatment, may be admitted to said sanatoria or other places and maintained and treated therein at the expense of the State to that extent that they can not by themselves, friends, or relatives, chargeable therefor, pay cash cost of treatment when the State board of charities and correction so certify and stipulate the proportion the State shall assume to pay. This act shall not be construed so as to deprive any person to whom aid is rendered of any right that he may have at the time of his admission to said sanatorium. To pay the expenses of engaging said free beds and assisting persons in needy circumstances to treatment in said sanatoria, a sum not exceeding \$15,000 for each of the years 1913-14 and 1914-15 is hereby appropriated, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. This joint resolution shall take effect upon its passage.

Schools—Medical Inspection of. (Chap. 83, Act Apr. 22, 1913.)

SECTION 1. Whenever any city, union, special, or town school district shall adopt the provisions of this act the said provisions shall be in force in such school district as hereinafter provided.

SEC. 2. The school board of the city or town in which such school district is located shall appoint one or more school physicians of not less than five years' experience, shall assign one to each public and each private school within such school district, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act.

SEC. 3. Every school physician shall, in the presence of the teacher, at least once a year, previous notice having been given, make such an examination of every pupil, excepting such as are hereinafter exempted, and of every teacher, janitor, and other employees of the schools committed to his charge, and of the school buildings, yards, and surroundings thereof as the protection of the health of the pupils may require. He shall report the results of his examination to the school board, who shall record the same, and they shall forthwith take such action thereon as in their judgment the public health or the health of the pupils demand.

SEC. 4. Every child who shows signs of being in ill health or of suffering from a communicable disease shall be referred by the teacher to the parents or guardian of such child for examination and diagnosis by some regularly registered physician, and if said parents fail or neglect to have such child so examined, and produce a certificate

from such physician within two days, then such child shall be examined by said school physician.

SEC. 5. The school physician shall cause notice of the disease or defects, if any, from which any child is found to be suffering to be sent to his parent or guardian. Whenever a child shows symptoms of smallpox, tuberculosis, diphtheria, influenza, tonsillitis, whooping cough, mumps, scabies, or trachoma, or other communicable disease, he shall be sent home immediately, or as soon as safe and proper conveyance can be found.

SEC. 6. The school physician shall cause every child in the public schools to be carefully tested and examined in the presence of the teacher at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. The tests of sight and hearing shall be made by the teacher under the direction of the school physician. The physician shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child and shall require a physical record of each child to be kept in such form as the State superintendent of public instruction shall prescribe.

SEC. 7. The State board of health shall prescribe the directions for tests of sight and hearing, and the superintendent of public instruction shall, in cooperation with the State board of health, prescribe instruction, test cards, blanks, record books, and other useful appliances for carrying out the purposes of this act, and shall provide for students in the normal schools instruction and practice in the best methods of testing the sight and hearing of children.

SEC. 8. Any parent or guardian may protest in writing to the teacher against the examination of his or her child or ward, and such pupil shall thereafter be exempt from any examination for or on account of any noncontagious disease or defect.

SEC. 9. The district may raise money for carrying into effect the provisions of this act.

SEC. 10. All acts and parts of acts inconsistent with the foregoing are hereby repealed, and this act shall take effect upon its passage.

Seal for State Board of Health. (Chap. 29, Act Mar. 14, 1913.)

SECTION 1. The State board of health shall have a seal, which shall be like the present seal of the State except that the device thereon shall be surrounded by the words "State Board of Health of New Hampshire" in the place of the words "Sigillum Reipublicæ Neo Hantoniensis, 1784" surrounding the device of said seal of the State. Every certificate or other official paper executed by the secretary of the State board of health in pursuance of any authority conferred by law, and bearing the seal of the board, shall be received as evidence, when duly certified by the secretary of said board under its seal, with the same force and effect as the original would, in law, be entitled to, if produced in open court.

Appropriation for State Board of Health for Year Ending Aug. 31, 1914. (Chap. 41, Act Mar. 19, 1913.)

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the State, for the purposes specified, for the fiscal year ending on the 31st day of August, 1914, to wit: * * * For board of health department, \$11,250, as follows: For salary of secretary, \$2,500; salary of clerk, \$500; for incidentals, \$450; printing blanks, \$300; for epidemic fund, \$5,000; for sanitary inspection, \$2,500. For laboratory of hygiene, \$6,400, as follows: For salaries of two chemists, \$3,000; salaries of two bacteriologists, \$1,800; incidentals, \$1,200; printing blanks and bulletins, \$400. For vital statistics department, \$1,750, as follows: For clerical expenses and incidentals, \$1,750. * * *

Appropriation for State Board of Health for Year Ending Aug. 31, 1915. (Chap. 43, Act Mar. 19, 1913.)

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the State, for the purposes specified, for the fiscal year ending on the 31st day of August, 1915, to wit: * * *

For board of health department, \$12,500, as follows: For salary of secretary, \$2,500; salary of clerk, \$500; for incidentals, \$450; for printing blanks, \$300; for printing report, \$1,250; for epidemic fund, \$5,000; for sanitary inspection, \$2,500. For laboratory of hygiene, \$8,400, as follows: For salaries of two chemists, \$3,000; salaries of two bacteriologists, \$1,800; incidentals, \$1,200; printing blanks and bulletins, \$400. For vital statistics department, \$2,800, as follows: For clerical expenses and incidentals, \$1,600; printing report, \$1,200. * * *

Foodstuffs, Drugs, and Liquors—Mislabeling of. (Chap. 193, Act May 21, 1913.)

SECTION 1. Section 4 of chapter 48, Laws of 1907, being "An act for preventing the manufacture or sale of adulterated or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors," is hereby amended by striking out the words: "Third. If in package form, and the contents are stated in terms of weight or measure, they are not correctly stated on the outside of the package," and inserting in lieu thereof the following: "Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however,* That reasonable variations shall be permitted, and tolerances and also exemptions as to small packages shall be established by rules and regulations made in accordance with the provisions of section 7 of this act."

SEC. 2. This act shall take effect and be in force 18 months after its passage.

Inspected Milk—Standard for. (Reg. Bd. of H., Apr. 15, 1913.)

License for the production and sale of "inspected milk" may be granted by the State board of health for a period not exceeding one year after an inspection of the premises where the said milk is to be produced by a representative of the State board of health, and after all the requirements promulgated by the board have been provided for and all of the conditions have been agreed to in writing by the producer.

When all of the conditions and requirements have been met to the satisfaction of the State board of health, the latter board may issue a license to use the term "inspected milk," and shall furnish milk-bottle caps with such inscription, statement, or design as may be decided upon, the same to be paid for by the producer.

The purpose of the procedure is to secure a reasonably clean, safe, and healthful milk of a high grade, because produced under strict supervision and better conditions than is usual.

The following, briefly stated and without elaboration of details, are the conditions under which such milk may be produced and sold:

Stables.—Stables shall be kept well whitewashed, ventilated, and reasonably clean. The walls shall be whitewashed, unless their construction renders it unnecessary, and they shall be kept free from cobwebs, dirt, etc. The manure should be removed at least twice daily, and proper bedding should be provided to keep the animals reasonably clean.

Cows.—Physical examination shall be made of the cows at least twice a year by a veterinarian approved by the State board of health. The tuberculin test shall be applied at least once a year, and any cows reacting shall be promptly removed from the herd.

No new cows shall be added until after they have passed the tuberculin test and a physical examination by a veterinary surgeon approved by the State board of health.

Cows, and especially their udders, shall be clean at the time of milking.

Milk room.—A milk room that is clean, light, and screened shall be provided for the cooling, bottling, and storing of the milk and the operations incident thereto.

Employees.—All employees connected in any way with the handling of the milk shall be personally clean and free from any communicable disease.

The health authorities shall be notified at once if any communicable disease appears in any person having to do with the handling of the milk, or in the family of the milkman or producer. Under such circumstances no milk shall be disposed of until officially authorized in writing.

Utensils.—All utensils and apparatus with which the milk comes in contact shall be thoroughly washed, and sterilized with boiling water or steam, and shall be used for no other purpose than that for which they were designed.

No milk bottles shall be removed from a house in which there is or recently has been a case of communicable disease until official permission is granted.

Small-top milk pails shall be used.

No unwholesome food or food liable to taint the milk shall be fed to the cows.

Milk.—The milk shall not be strained in the cow stable, but shall be removed to the milk room immediately after it is drawn. It shall be cooled to 50° Fahrenheit, or below, immediately after it is drawn from the cow, and shall be kept at that temperature until it is delivered to the consumer.

The milk shall be delivered in single-service containers, unless special permission for other method of delivery is granted.

The milk shall not contain bacteria in excess of 100,000 per cubic centimeter, and must be entirely free from pathogenic germs.

Inspections.—Inspections will be made from time to time by inspectors designated by the State board of health. No person will be appointed as inspector who has not first obtained a certificate from the superintendent of the dairy department of the New Hampshire College of Agriculture showing the holder to be qualified to perform the duties imposed under the regulations. Samples of the milk for chemical and bacteriological examination may be taken at any time. License to use the term "inspected milk" may be revoked at any time for noncompliance with the regulations established by the State board of health.

Births, Marriages, and Deaths—Penalty for Nonregistration. (Chap. 39, Act Mar. 19, 1913.)

SECTION 1. Chapter 173 of the Public Statutes relating to the registration of births, marriages, and deaths is hereby amended by striking out the whole of section 11 and inserting in the place thereof the following:

"Sec. 11. Any person who shall neglect or refuse to perform a duty imposed upon him by the provisions of this chapter shall be fined not exceeding fifty dollars for each offense, for the use of the town in which the offense was committed, and it shall be the duty of the registrar of vital statistics to enforce this section."

Barber Shops—Regulation of. (Chap. 15, Act Mar. 6, 1913.)

SECTION 1. Section 1 of chapter 142 of the laws of 1907 is hereby amended by striking out the word "and" in the fifth line of said section and placing a comma after the word "brushes" in said line; said section is also amended by inserting after the word "razors" in the fifth line the words "tweezers, needles, or lances." Said section is also amended by striking out the word "after" in the seventh line thereof and inserting in place thereof the word "before." Said section is also amended by striking out the period after the word "thereof" in the seventh line and insert in place thereof a comma and the following words, "and hairbrushes, combs, and neck dusters shall be sterilized each morning and the same shall be kept in a cleanly

condition at all times." Said section is also amended by striking out the words "clean towel" in the seventh line of said section and inserting in place thereof the words "fresh clean towels, or sterilized towels." Said section is further amended by striking out the words "hot water" in the eleventh line thereof and inserting in place thereof the words "running hot water, where water under pressure is available." Said section is further amended by striking out all of said section after the word "shall" in the fourteenth line of said section and inserting in place thereof the words "keep his hands thoroughly cleansed, and the headrest of every chair shall be protected with clean paper before serving any customer," so that said section as amended shall read as follows:

"SECTION 1. Boards of health of towns and cities are hereby authorized and directed to promulgate the following rules and regulations for the management of barber shops. Barber shops or places where the trade is carried on shall be kept at all times in a cleanly condition. Mugs, shaving brushes, razors, tweezers, needles, or lances shall be sterilized by immersion in boiling water or some sterilizing solution before every separate use thereof, and hairbrushes, combs, and neck dusters shall be sterilized each morning, and the same shall be kept in a cleanly condition at all times. Fresh, clean towels or sterilized towels shall be used for each person. Alum or other material used to stop the flow of blood shall be used only in powdered form. The use of powder puffs and sponges is prohibited. Every barber shop shall be provided with running hot water, where water under pressure is available. No person or persons shall be allowed to sleep in any room used wholly or in part for tonsorial purposes, nor shall the business of a barber be carried on in any room used as a sleeping apartment. Every barber shall keep his hands thoroughly cleansed, and the headrest of every chair shall be protected with clean paper before serving any customer."

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

NEW JERSEY.

Tuberculosis—Prevention of the Spread of. (Reg. Bd. of H., Mar. 11, 1913.)

1. All persons suffering from pulmonary tuberculosis (consumption) shall effectively destroy their sputum (spit).
2. All persons suffering from running sores due to any form of tuberculosis shall burn all soiled dressings immediately after removal.
3. The room occupied by a tuberculosis patient shall have at least one outside window.
4. No person suffering from pulmonary or other communicable form of tuberculosis shall prepare, cook, or handle food for the use of others, except in certain cases when some member of a family may be allowed to do certain culinary work under the supervision of the proper health authorities.
5. The manufacturing of any kind of goods for commercial purposes or the performance of any work known as "shop work" in the home of any person suffering from pulmonary or other communicable form of tuberculosis is prohibited, unless the product is such as can be sterilized, and unless sterilization is done in strict accordance with the requirements of the local board of health.

Regulations of Local Boards of Health—Enforcement of. (Act Apr. 9, 1913.)

1. The recorder or police justice of any town or borough and the mayor of any borough shall have jurisdiction over all actions brought to enforce ordinances passed by the board of health of such town or borough in the same manner and to the same extent as other actions brought to enforce ordinances passed and adopted by the town council of such town or the mayor and council of such borough.
2. The police officers of all towns and boroughs are authorized and empowered to serve all papers, processes, and orders in actions to enforce ordinances passed by the board of health of said towns or boroughs in the same manner and to the same extent as they are authorized now to serve papers, processes, and orders in actions to enforce ordinances of the town council or borough.
3. All fees, costs, fines, and sums of money in all actions to enforce ordinances of the board of health shall be paid over to the town or borough authorities, in the same manner and to the same extent as the same are paid over in actions to enforce ordinances of the town council or borough.

County Physicians—Appointment of Substitutes. (Act Apr. 9, 1913.)

1. In case the county physician of any county shall be sick, or from any cause shall be unable to attend and make view and inquiry of any dead body or perform any services required by the act of which this is a supplement, it shall be lawful for him to nominate and appoint, in writing, under his hand, any other licensed physician of said county to perform such specific services as he may be unable to perform; and the physicians so appointed shall, in that behalf, possess all the powers of the said county physician, and all fees and charges of said physician so appointed, for such services rendered while acting under such appointment, shall be paid by said county physician.

Employees of Boards of Health—Pensions for. (Act Apr. 2, 1913.)

1. In all cities in this State which have heretofore established, or which may hereafter establish, local boards or departments of health therein, it shall be lawful for

the employees of such local boards or departments of health to associate themselves together as a corporation for the purpose of providing and obtaining a fund to pension such employees.

2. For the purpose of forming such a corporation the health officer or other chief officer or person in charge of such employees shall notify each and every employee of such local board or department of health to attend a meeting to be held not less than five days after the giving of such notice, to consider the formation of a corporation in accordance with this act. Said notice shall be in writing and shall specify the time and place of the meeting of such employees. If two-thirds of the employees present at such meeting shall vote in favor of forming such a corporation, they shall adopt a resolution to that effect and shall choose a name for the corporation and shall send a copy of such resolution to the local board or department of health or other municipal board having charge or control of such board or department, and shall recommend to such board or body four members of such board or department as trustees. The first trustees created under this act shall prepare and sign a certificate reciting the adoption of the resolution by the employees, as hereinbefore directed, the name adopted, the appointment of trustees, the organization, and the names of officers and execution of the certificate, for the purpose of forming a corporation under this act for the purposes herein set forth, which certificate shall be recorded in the office of the clerk of the county wherein such corporation shall be organized and shall then be filed in the office of the commissioner of banking and insurance at Trenton, in this State, and thereupon such trustees, their associates and successors, shall be and become a body politic and corporate in law, with all the powers incident thereto.

3. The pension fund to be formed as hereinafter provided for shall be under the control and management of the board of five trustees, to be composed of the health officer of such board or department, ex officio, and four members of such local board or department to be elected by a majority vote of the entire number of employees of such local board or department. The first board of trustees selected, as in section 2 of this act, shall serve until the month of January following the incorporation of such association, at which time a board of trustees shall be appointed as heretofore provided in this section; one for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years, who shall serve for the respective terms for which they each were chosen, and thereafter annually in the month of January in each year, a member of such board of trustees shall be chosen for a full term of four years to serve in the place and stead of the trustee whose term shall have then expired, so that the term of office of but one member shall expire in each year.

4. Such trustees and all other officers of the said corporation shall give bonds with some duly authorized security company, as surety thereon, for the faithful performance of their duties in such sum or sums as shall be fixed by the by-laws of the corporation.

5. The said board of trustees shall at the first annual meeting thereof elect a chairman, secretary, and treasurer and such other officers as they may deem necessary; the secretary may be one of their own members, or the clerk of such local board or department of health; the board of trustees shall fix the compensation of the secretary and treasurer; the chairman shall serve without compensation.

6. All moneys paid out of such pension fund shall be paid by the treasurer of such corporation upon warrants signed by the chairman of the board of trustees and countersigned by the secretary thereof, and no warrant shall be drawn except by the order of said board upon a yea-and-nay vote and recorded in the minutes of said board. Such board of trustees may deposit such fund in any of the banks or trust companies of such cities, and may invest the same in bonds secured by first mortgages on improved property worth at least twice the amount loaned, or in bonds of the United States or of this State, or any city or county in this State. All income, interest, or dividend

which shall be paid or agreed to be paid on account of any loan or deposit shall belong to and constitute a part of said fund.

7. The board of trustees shall make a semiannual report of the condition of such fund and the manner in which the same is invested to the local board or department of health of any such city in the months of January and July in each year, and at such other times as they may be requested so to do by such local board or department.

8. All pensions granted under this act shall be exempt from execution, attachment, or any other legal process whatever. Such pension fund shall be provided and sustained as follows:

(a) By paying into such pension fund moneys which shall have been received by any such board or department of health from fines and fees, and which may, from time to time, be designated for such purpose by the local board or department of health of any such city, not to exceed, however, \$2,500 in any one year.

(b) By all rewards, fees, gifts, or emoluments paid or given for extraordinary services rendered by any such employee of such board or department, except when the same is allowed by such local board or department of health or other duly authorized municipal authority having charge and control of such board or department, to be retained by such employee or member, or when the same is specially given to endow a medal or other competitive reward.

(c) By all appropriations, donations, devises, and bequests that may be made or given to such pension fund by any such municipality or other corporation or person.

(d) If the amount of any such pension fund shall at any time be less than \$20,000, the board of trustees of any such corporation may assess and collect from each and every employee of such board or department who shall take advantage of this act, as hereinafter provided, a sum not exceeding 2 per cent of his salary; said sum shall be paid by each and every member monthly to the treasurer of such corporation, and such assessment and collection shall be in manner and form as may be provided in the by-laws of the corporation, and whenever any such employee who has taken advantage of the provisions of this act shall die, shall leave or be discharged from the employ of any such board or department, having served therein for a less term than 20 years, all payments made by such employee to such pension fund shall be forfeited by him and shall be added to and become a part of such pension fund.

9. Pensions shall be paid from such fund in the manner following:

(a) In all cities of this State in which this act shall become operative, all employees of such local board or department who shall have honorably served therein for 25 years, shall, upon application to the local board or department of health in such city, be retired by such board, and shall thereupon receive from such pension fund an amount, annually, equal to one-half of the salary received by such employee at the time of his retirement.

(b) If any employee of such board or department shall hereafter become incapacitated, either mentally or physically, for the performance of his duties, whenever such incapacity is the result of injury received or illness incurred in the discharge of his duties as an employee of such department, he shall be retired by such local board or department of health, and shall thereupon be entitled to receive from such pension fund, during the term of such incapacity or injury, an amount equal to one-half of his salary received by him at the time of his retirement.

(c) Any employee of any such local board or department of health who shall have served therein for 25 years continuously, who shall become incapacitated, either mentally or physically, from illness or injury incurred in the performance of his duties as such employee, or who, by reason of advanced age, is found unfit for the performance of his duties, shall be retired by the local board or department of health of such city, and thereupon he shall receive from such pension fund an amount equal to one-half the salary received by him at the time of such retirement. No pensions shall be paid out of any such fund until after the 31st day of December, in the year 1918.

10. The employees of any such local board or department of health who shall be entitled to accept the provisions of this act shall be the health officer or chief inspector employed by such board or department; all persons employed in the sanitary department of any such board; all persons regularly employed by any such board in the care of any tuberculosis or any other hospital which is or may be under the control of any such board; all persons actually engaged as physicians, nurses, or otherwise, in taking care of patients in any such tuberculosis or any other hospital, excepting visiting physicians not on the regular staff of any such hospital; all persons employed in any dispensary or laboratory under the control and management of any such board, including chemists regularly employed by any such board; it being the intent of this section of this act to include under the provisions thereof all persons and employees on the pay roll of the department of health.

11. Persons employed by any such board or department of health at the time of the passage of this act shall not be permitted to take advantage of the provisions hereof after the expiration of two years from the date of the passage hereof; and all persons coming into the employ of any such board or department subsequent to the date of this act shall not be entitled to take advantage of the provisions hereof unless he shall, within two years after the date upon which he shall have been appointed, make application to said board for membership in such pension fund as hereinafter provided; and any such applicant shall be required to pay into such fund together with such application a sum of money equal to 1 per cent of the salary of such employee from the date of his appointment to the date of such application; and no such application shall be antedated.

12. Any person who shall willfully or knowingly swear falsely in any oath or affirmation for the purpose of obtaining or procuring any pension or the payment thereof, under the provisions of this act, shall be deemed guilty of perjury upon conviction thereof, and shall be punished by law for such crime.

13. Any employee of any board or department of health who shall be included in the provisions of this act who shall unlawfully retain any of the moneys, funds, properties, or effects of any corporation organized under this act shall forever be debarred from receiving any relief or benefit from any such pension fund.

14. Any employee of any such board or department of health hereinbefore mentioned may avail himself of the benefits of such pension fund by making application in writing for membership therein and paying into said fund monthly 1 per cent of the salary received by such employee at the time of such application: *Provided, however,* That employees who desire to take advantage of this act after the formation of such corporation or the creation of such pension fund shall be required to conform with the provisions of section 11 of this act.

Hospitals—Municipal Appropriations for. (Act Feb. 27, 1913.)

1. It shall and may be lawful for any borough, town, or township of this State which has no hospital located therein maintained by such municipality, to make an appropriation of a sum of money not exceeding \$1,000 each year in the same manner that appropriations for other municipal purposes are made, which sum so appropriated shall be included in the annual tax levy of such municipality and collected in the same manner and at the same time as other municipal taxes, and shall be applied to the purpose of supporting and maintaining such indigent persons resident of such municipalities, as may be sent by order of any overseer of the poor or other proper authority of such municipality to any hospital duly incorporated under the laws of this State and located in such municipality or in any other municipality in the same or an adjoining county.

2. Where no appropriation has been made in the manner provided in section 1 of this act for the purpose therein mentioned, it shall and may be lawful for the council

or other legislative body of any such municipality which has no hospital located therein maintained by such municipality, to transfer and carry forward an amount not exceeding the said sum of \$1,000 of any unexpended balance or balances of taxes that have been levied in any such municipality for any purpose during any previous fiscal year, and appropriate the same to the purpose of supporting and maintaining such indigent persons residents of such municipality as may be sent by order of any overseer of the poor or other proper authority of such municipality, to any hospital duly incorporated under the laws of this State, and located in such municipality or in any other municipality in the same or an adjoining county.

3. The moneys so raised or appropriated shall be kept as a separate fund known as the hospital fund, and shall not be used for any other purpose whatever, and such municipality shall have power to regulate the mode of sending such patients to such hospital or hospitals and also the mode and terms of paying for the care and maintenance of such patients so sent to such hospital or hospitals.

NEW YORK.

Industrial Diseases—Notification of Cases. (Chap. 145, Act Mar. 28, 1913.)

SEC. 65. *Industrial poisonings to be reported.*—1. Every medical practitioner attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds, or from anthrax, or from compressed-air illness, contracted as the result of the nature of the patient's employment, shall send to the commissioner of labor a notice stating the name and full postal address and place of employment of the patient and the disease from which, in the opinion of the medical practitioner, the patient is suffering, with such other and further information as may be required by the said commissioner.

2. If any medical practitioner, when required by this section to send a notice, fails forthwith to send the same, he shall be liable to a fine not exceeding \$10.

3. It shall be the duty of the commissioner of labor to enforce the provisions of this section, and he may call upon the State and local boards of health for assistance.

Communicable Diseases—Notification of Cases and Control of. (Chap. 559, Act May 17, 1913.)

SEC. 12. Sections 25, 27, 31, 34, 35, and 38 of such chapter [chap. 45, Consolidated Laws] are hereby amended to read, respectively, as follows:

"SEC. 25. *Infectious and contagious or communicable diseases.*—Every local board of health and every health officer shall guard against the introduction of such infectious and contagious or communicable diseases as are designated in the sanitary code, by the exercise of proper and vigilant medical inspection and control of all persons and things infected with or exposed to such diseases, and provide suitable places for the treatment and care of sick persons who can not otherwise be provided for. They may, subject to the provisions of the sanitary code, prohibit and prevent all intercourse and communication with or use of infected premises, places, and things, and require, and, if necessary, provide the means for the thorough purification and cleansing of the same before general intercourse with the same or use thereof shall be allowed. Every physician shall immediately give notice of every case of infectious and contagious or communicable disease required by the State department of health to be reported to it, to the health officer of the city, town, or village where such disease occurs, and no physician being in attendance on such case, it shall be the duty of the superintendent or other officer of an institution, householder, hotel or lodging-house keeper, or other person where such case occurs, to give such notice. The physician or other person giving such notice shall be entitled to the sum of 25 cents therefor, which shall be a charge upon and paid by the municipality where such case occurs.

"Every local health officer shall report to the State department of health, promptly, all cases of such infectious and contagious or communicable diseases as may be required by the State department of health, and for such reporting the health officer of a village or town shall be paid by the municipality employing him, upon the certification of the State department of health, a sum not to exceed 20 cents for each case so reported. The reports of cases of tuberculosis made pursuant to the provisions of this section shall not be divulged or made public so as to disclose the identity of the persons to whom they relate, by any person, except in so far as may be authorized by the public

health council. The board of health shall provide, at stated intervals, a suitable supply of vaccine virus, of a quality and from a source approved by the State department of health, and during an actual epidemic of smallpox obtain fresh supplies of such virus at intervals not exceeding one week, and at all times provide thorough and safe vaccination for all persons in need of the same. If a pestilential, infectious, or contagious disease exists in any county almshouse or its vicinity, and the physician thereof shall certify that such disease is likely to endanger the health of its inmates, the county superintendent of the poor may cause such inmates or any of them to be removed to such other suitable place in the county as the local board of health of the municipality where the almshouse is situated may designate, there to be maintained and provided for at the expense of the county, with all necessary medical care and attendance until they shall be safely returned to such almshouse or otherwise discharged. The health officer, commissioner of health, or boards of health of the cities of the first class shall report promptly to the State department of health all cases of smallpox, typhus and yellow fever, and cholera and the facts relating thereto."

Tuberculosis—Reporting of Cases of—Disinfection. (Chap. 559, Act May 17, 1913.)

§ 320. Sections 320 and 322 of such chapter [chap. 45, Consolidated Laws] are hereby amended to read as follows:

"§ 320. *Reports of tuberculosis by physicians and others.*—Tuberculosis is hereby declared to be an infectious and communicable disease, dangerous to the public health. It shall be the duty of every physician in the State of New York to report, by telephone or in person or in writing on a form to be furnished as hereinafter provided, the name and address of every person known by said physician to have tuberculosis to the health officer of the city, town, or village in which said person resides or may be within 24 hours after such fact comes to the knowledge of said physician. It shall also be the duty of the chief officer having charge for the time being of any hospital, dispensary, asylum, or other similar private or public institution to report the name, age, sex, color, occupation, place where last employed if known, the previous address of every patient having tuberculosis who comes into his care or under his observation within 24 hours thereafter.

"Any physician may report the name and address of any person coming under his observation who appears to be suffering from tuberculosis to the health officer of the city, town, or village in which such person is, and the health officer shall thereupon take such steps as may be prescribed by the sanitary code.

"Each registrar of vital statistics shall promptly report to the health officer the name and address of every person reported to him as having died from tuberculosis. The health officer shall ascertain whether such person has been previously reported as having tuberculosis by the physician signing the death certificate, and if it appears that such physician has not so reported such person the health officer shall call the attention of such physician to the provisions of this section. In case of repeated violations of the provisions of this section by any physician the health officer shall report such repeated violations to the board of health or other local health authorities, who shall cause such steps to be taken as may be necessary to enforce the penalty provided for such violation."

"§ 322. *Protection of records.*—It shall be the duty of every health officer of a city, town, or village to cause all reports made in accordance with the provisions of section 320, and also all results of examinations showing the presence of the bacilli of tuberculosis, made in accordance with the provisions of section 321, to be recorded in a register, of which he shall be the custodian. Such register shall not be open to inspection by any person other than the health authorities of the State and of the said city, town, or village; and said health authorities shall not permit any such

report or record to be divulged so as to disclose the identity of the person to whom it relates, except as may be authorized in the sanitary code."

SEC. 14. Section 324 of such chapter, as amended by chapter 240 of the laws of 1909 and chapter 427 of the laws of 1910, is hereby amended to read as follows:

"SEC. 324. *Health officer to direct disinfection, cleansing, or renovation.*—When notified of the vacation of any apartments or premises, as provided in section 323 thereof, the local health officer or one of his assistants or deputies shall, within 24 hours thereafter, visit said apartments or premises and shall order and direct that, except for purposes of cleansing or disinfection, no infected article shall be removed therefrom until properly and suitably cleansed or disinfected, and all apartments or premises shall be disinfected, cleansed, or renovated in order that they may be rendered safe and suitable for occupancy as prescribed by the sanitary code. If the health authorities determine that disinfection is sufficient to render them safe and suitable for occupancy, such apartments or premises, together with all infected articles therein, shall immediately be disinfected by the health authorities at public expense: *Provided, however,* That in any locality which in the judgment of the State commissioner of health may be considered a resort for persons having tuberculosis, such disinfection may in the discretion of the health authorities be done by such health authorities at the expense of the owner of the premises. Should the health authorities determine that such apartments or premises are in need of thorough cleansing and renovation, a notice in writing to this effect shall be served upon the owner or agent of said apartments or premises, and said owner or agent shall thereupon proceed to the cleansing or renovating of such apartments or premises in accordance with the instructions of the health authorities, and such cleansing and renovation shall be done at the expense of said owner or agent. The public health council shall include in the sanitary code regulations defining the methods and precautions to be observed in disinfecting, cleansing, or renovating premises under the provisions of this section. In any case in which the owner is liable for the expense of such disinfection, cleansing, or renovation by or pursuant to the provisions of this section, such expense if not paid shall be a first lien upon such property, real or personal, so disinfected, cleansed, or renovated, having preference over all other liens and incumbrances whatever. If the lien is against real property, it may be foreclosed in the manner prescribed in section 32 of the public-health law; if the lien is against personal property it may be foreclosed in the manner prescribed in sections 206 to 209, inclusive, of the lien law."

Communicable Diseases—Control of Dangerous and Careless Patients. (Chap. 559, Act May 17, 1913.)

SEC. 15. Such chapter [chap. 45, Consolidated Laws] is hereby amended by inserting therein a new section, to be section 326a, to read as follows:

"SEC. 326a. *Control of dangerous and careless patients.*—Whenever a complaint shall be made by a physician to a health officer that any person is afflicted with any infectious, contagious, or communicable disease or is a carrier of typhoid fever, tuberculosis, diphtheria, or other infectious disease and is unable or unwilling to conduct himself and to live in such a manner as not to expose members of his family or household or other persons with whom he may be associated to danger of infection, the health officer shall forthwith investigate the circumstances alleged. If he shall find that any such person is a menace to others, he shall lodge a complaint against such person with a magistrate, and on such complaint the said person shall be brought before such magistrate. The magistrate after due notice and a hearing, if satisfied that the complaint of the health officer is well founded and that the person is a source of danger to others, may commit him to a county hospital for tuberculosis or to any other hospital or institution established for the care of persons suffering from any such disease or maintaining a room, ward, or wards for such person. Such person

shall be deemed to be committed until discharged in the manner authorized in this section. In making such commitment the magistrate shall make such order for payment for the care and maintenance of such person as he may deem proper.

"The chief medical officer of the hospital or other institution to which any such person has been committed, upon signing and placing among the permanent records of such hospital or institution a statement to the effect that such person has obeyed the rules and regulations of such hospital or institution for a period of not less than 60 days, and that in his judgment such person may be discharged without danger to the health or life of others, or for any other reason stated in full which he may deem adequate and sufficient, may discharge the person so committed. He shall report each such discharge together with a full statement of the reasons therefor at once to the health officer of the city, village, or town from which the patient came and at the next meeting of the board of managers or other controlling authority of such hospital or institution. Every person committed under the provisions of this section shall observe all the rules and regulations of such hospital or institution. Any patient so committed who neglects or refuses to obey the rules or regulations of the institution may by direction of the chief medical officer of the institution be placed apart from the other patients and restrained from leaving the institution. Any such patient who willfully violates the rules and regulations of the institution or repeatedly conducts himself in a disorderly manner may be taken before a magistrate by the order of the chief medical officer of the institution. The chief medical officer may enter a complaint against such person for disorderly conduct, and the magistrate, after a hearing and upon due evidence of such disorderly conduct, may commit such person for a period not to exceed six months to any institution to which persons convicted of disorderly conduct or vagrancy or of being tramps may be committed, and such institution shall keep such person separate and apart from the other inmates, provided that nothing in this section shall be construed to prohibit any person committed to any institution under its provisions from appealing to any court having jurisdiction for a review of the evidence on which commitment was made."

Tuberculosis—Precautions to Prevent Spread of Disease—Penalty for False Report.
(Chap. 559, Act May 17, 1913.)

SEC. 16. Section 328 of such chapter [chap. 45, Consolidated Laws], as amended by chapter 426 of the laws of 1909, and chapter 490 of the laws of 1911, is hereby amended to read as follows:

"Sec. 328. Provided that physicians shall make a complete statement of procedure and precautions on a blank to be furnished by the health officer. It shall be the duty of the local health officer to transmit to a physician reporting a case of tuberculosis as provided in section 320, a printed statement and report, in a form approved by the State commissioner of health, naming such procedure and precautions as in the opinion of the said commissioner are necessary or desirable to be taken on the premises of a tuberculosis patient. The State department of health shall print an ample supply of such statements and reports and furnish the same in sufficient numbers to health officers for all physicians. Upon receipt of such statement and report the physician shall either carry into effect all such procedure and precautions as are therein prescribed, and shall thereupon sign and date the same and return it to the local health officer without delay, or, if such attending physician be unwilling or unable to carry into effect the procedures and precautions specified, he shall so state upon this report and immediately return the same to the local health officer and the duties therein prescribed shall thereupon devolve upon said local health officer, who shall receive the fee hereinafter provided as payment of the services of the physician if he comply with the duties herein prescribed. Upon the receipt of this statement and report the local health officer shall carefully examine the same, and if satisfied that the attending physician has taken all

necessary and desirable precautions to insure the safety of all persons living in the apartments or premises occupied by the persons having tuberculosis, the said local health officer shall issue an order upon the treasurer of the city, town, or village in favor of the attending physician, except where such physician is employed by and receives a salary from the state of New York, or is employed by and receives a salary from a hospital, sanatorium, or other similar private or public institution in the State of New York, for the sum of \$1 thereupon to be paid out of a fund which shall be provided by said city, town, or village. But no such payment shall be made to any physician for reporting cases of tuberculosis elsewhere than in the city, town, or village where such patient resides.

"If the precaution taken or instructions given by the attending physician are, in the opinion of the local health officer, not such as will remove all reasonable danger or probability of danger to the persons occupying the said house or apartments or premises, the local health officer shall return to the attending physician the report with a letter specifying the additional precautions or instructions which the health officer shall require him to take or give; and the said attending physician shall immediately take the additional precautions and give the additional instructions specified and shall record and return the same on the original report to the local health officer. A health officer shall have authority to cause all reported cases of tuberculosis within his jurisdiction to be visited from time to time by a public-health nurse. In every case in which a physician reporting the case has elected to carry into effect the procedure and precautions required by this section the public-health nurse shall act under the direction and supervision of the physician. It shall further be the duty of the health officer to transmit to the physician reporting any case of tuberculosis a printed requisition, to be supplied by the State commissioner of health, and issued in sufficient number to health officers to supply physicians. Upon this requisition blank shall be named the materials kept on hand by the local health officer for the prevention of the spread of tuberculosis, and it shall be the duty of the local health officer to supply such materials as may be specified in such requisition. Any physician may return a duly signed requisition to the local health officer for such of the specified materials and in such amount as he may deem necessary to aid him in preventing the spread of the disease, and all local health officers shall honor, as far as possible, the requisition signed by the attending physician in such case. It shall be the duty of every local health officer to transmit to every physician reporting any case of tuberculosis, or to the person reported as suffering from this disease, provided the latter has no attending physician, a circular of information approved by the State commissioner of health and which shall be provided in sufficient quantity by the local health authorities. This circular of information shall inform the consumptive of the best methods of treatment of his disease and of the precautions necessary to avoid transmitting the disease to others."

SEC. 17. Section 329 of such chapter [chap. 45, Consolidated Laws] is hereby amended to read as follows:

"SEC. 329. *Penalty for failure of physician to perform duties or for making false reports.*—Any physician or person practicing as a physician who shall willfully make any false statement concerning the name, age, sex, color, occupation, place where last employed if known, or address of any person reported as affected with tuberculosis, or who shall certify falsely as to any of the precautions taken to prevent the spread of infection, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to a fine of not more than \$100."

Tuberculosis, County Hospitals—Payment of Bills. (Chap. 40, Act Feb. 25, 1913.)

SECTION 1. Subdivision 6 of section 47 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as added by chapter 349 of the laws of 1909, is hereby amended to read as follows:

"6. Shall certify all bills and accounts including salaries and wages and transmit them to the board of supervisors of the county, who shall provide for their payment

in the same manner as other charges against the county are paid. The board of supervisors of a county not having a purchasing agent or auditing commission may make an appropriation for the maintenance of such hospital and direct the county treasurer to pay all bills, accounts, salaries, and wages, which are approved by the board of managers, within the amount of such appropriation, subject to such regulations as to the payment and audit thereof as the board of supervisors may deem proper."

Tuberculosis Hospitals—Workshops in Connection With. (Chap. 341, Act Apr. 19, 1913.)

SECTION 1. Chapter 29 of the laws of 1909, entitled "An act relating to municipal corporations, constituting chapter 24 of the consolidated laws," is hereby amended by inserting therein a new section, to be section 135-a, to read as follows:

"SEC. 135-a. *Workshops in connection with tuberculosis hospitals.*—Any municipal corporation maintaining a hospital or a sanatorium for the treatment of tuberculosis may establish and maintain workshops in connection therewith for the production of articles or supplies required by such hospital or sanatorium, or by any other institution or department of such municipality. Except in a supervisory capacity no person shall be employed in such workshop or workshops unless he is or shall have been a patient suffering from tuberculosis in such hospital or sanatorium. The appropriate municipal authorities may appropriate or provide funds for the establishment and maintenance of the said workshops in the same manner as for the establishment and maintenance of such hospitals or sanatoria. Notwithstanding the provisions of the prison law in relation to the sale of articles manufactured in the State prisons, the products of such workshop may be used in such hospital or sanatorium or by any other institution or department of such municipality. Such workshops shall be under the direction and control of the municipal authority having direction and control of the hospital or sanatorium to which they may be attached."

Tuberculosis, County Hospitals—Establishment of. (Chap. 166, Act Apr. 2, 1913.)

SECTION 1. Section 45 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," is hereby amended to read as follows:

"SEC. 45. *Establishment of county hospital for tuberculosis.*—The board of supervisors of any county shall have power by a majority vote to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis. When the board of supervisors of any county shall have voted to establish such hospital, it shall have the following power:

"1. To purchase and lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings, in the manner prescribed by the condemnation law, in any town, city, or village in the county. After the presentation of the petition in such proceeding prescribed in section 3360 of the code of civil procedure and the filing of the notice of pendency of action prescribed in section 3381 thereof, said board of supervisors shall be and become seized of the whole or such part of the real property described in said petition to be acquired for carrying into effect the provisions of this act, as such board may, by resolution adopted at a regular or special session, determine to be necessary for the immediate use, and such board for and in the name of such county may enter upon, occupy, and use such real property so described and required for such purposes. Such resolution shall contain a description of the real property of which possession is to be taken and the day upon which possession will be taken. Said board of supervisors shall cause a copy of such resolution to be filed in the county clerk's office of the county in which such property is situate, and notice of the adoption thereof, with a copy of the resolution and of its intention to take possession of the premises therein described on a day certain, also

therein named, to be served, either personally or by mail, upon the owner or owners of and persons interested in such real property, at least five days prior to the day fixed in such resolution for taking possession. From the time of the service of such notice the entry upon and appropriation by the county of the real property therein described for the purposes provided for by this act shall be deemed complete, and such notice so served shall be conclusive evidence of such entry and appropriation and of the quantity and boundaries of the lands appropriated. The board of supervisors may cause a duplicate copy of such papers so served, with an affidavit of due service thereof on such owner or person interested, to be recorded in the books used for recording deeds in the office of the county clerk of its county, and the record of such notice and such proof of service shall be prima facie evidence of the due service thereof. Compensation for property thus acquired shall be made in such condemnation proceeding.

"2. To erect all necessary buildings, make all necessary improvements and repairs, and alter any existing buildings for the use of said hospital, provided that the plans for such erection, alteration, or repair shall first be approved by the State commissioner of health.

"3. To cause to be assessed, levied, and collected such sums of money as it shall deem necessary for suitable lands, buildings, and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor on the credit of the county, and issue county obligations therefor, in such manner as it may do for other county purposes.

"4. To appoint a board of managers for said hospital as hereinafter provided.

"5. To accept and hold in trust for the county any grant or devise of land, or any gift or bequest of money or other personal property, or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift."

Tuberculosis, County Hospitals—Buildings—Maintenance of Patients. (Chap. 379, Act Apr. 28, 1913.)

SECTION 1. Subdivision 2 of section 45 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as added by chapter 341 of the laws of 1909, is hereby amended to read as follows:

"2. To erect all necessary buildings and alter any buildings on the property when acquired for the use of said hospital, provided that the plans for such erection or alteration shall first be approved by the State commissioner of health."

SEC. 2. Section 47 of such chapter, as added by chapter 341 of the laws of 1909, is hereby amended by adding thereto a new subdivision to be subdivision 8, to read as follows:

"8. Shall notwithstanding any other general or special law erect all additional buildings found necessary after the hospital has been placed in operation and make all necessary improvements and repairs within the limits of the appropriations made therefor by the board of supervisors, provided that the plans for such additional buildings, improvements, or repairs shall first be approved by the State commissioner of health."

SEC. 3. Subdivision 5 of section 48 of such chapter, as added by chapter 341 of the laws of 1909 and amended by chapters 149 and 239 of the laws of 1912, is hereby amended to read as follows:

"5. Shall receive into the hospital in the order of application any person found to be suffering from tuberculosis in any form who is entitled to admission thereto under the provisions of this chapter; and shall also receive persons from other counties as hereinafter provided. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their name, age, sex, color, marital condition, residence, occupation, and place of last employment."

SEC. 4. Section 49a of such chapter, as added by chapter 341 of the laws of 1909 and amended by chapters 149 and 239 of the laws of 1912, is hereby amended to read as follows:

"SEC. 49a. *Maintenance of patients in the county in which hospital is situated.*—Wherever a patient has been admitted to said hospital from the county in which the hospital is situated, the superintendent shall cause such inquiry to be made as he may deem necessary as to his circumstances, and of the relatives of such patient legally liable for his support. If he find that such patient or said relatives are able to pay for his care and treatment in whole or in part, an order shall be made directing such patient or said relatives to pay to the treasurer of such hospital for the support of such patient a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The superintendent shall have the same power and authority to collect such sum from the estate of the patient, or his relatives legally liable for his support, as is possessed by an overseer of the poor in like circumstances. If the superintendent find that such patient or said relatives are not able to pay, either in whole or in part, for his care and treatment in such hospital, the same shall become a charge upon the county. When any indigent patient shall have been admitted to any such hospital as a resident of the county in which the hospital is located, and it shall be found that such patient has not acquired a settlement within such county under the provisions of the poor law, the superintendent of such hospital shall collect from the county in which such patient has a settlement the cost of his maintenance in such hospital, or may in his discretion return such patient to the locality in which he has a settlement."

SEC. 5. Section 49e of such chapter, as added by chapter 341 of the laws of 1909, is hereby amended to read as follows:

"SEC. 49e. *Hospitals at almshouses.*—Wherever a hospital for the care and treatment of persons suffering from tuberculosis exists in connection with or on the grounds of a county almshouse, the board of supervisors may, after sections 45 to 49e of this chapter take effect, appoint a board of managers for such hospital, and such hospital and its board of managers shall thereafter be subject to all the provisions of this act, in like manner as if it had been originally established hereunder. Any hospital for the care and treatment of tuberculosis which may hereafter be established by any board of supervisors shall be subject to all the provisions of said sections. No hospital authorized under the provisions of this chapter shall hereafter be located on the grounds of an almshouse."

Institute for the Study of Malignant Disease—Objects of. (Chap. 91, Act Mar. 20, 1913.)

SECTION 1. Section 346 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 128 of the laws of 1911, is hereby amended to read as follows:

"SEC. 346. *Objects and purposes of the institute; gifts to institute in aid thereof.*—The institute shall conduct investigations into the cause, nature, mortality rate, treatment, prevention and cure of cancer and allied diseases, and may receive in its hospital for study, experimental or other treatment, cases of cancer and allied diseases free of charge. It shall publish from time to time the results of its investigations for the benefit of humanity and shall from time to time collect its publications into the form of a scientific report for distribution to scientific bodies and to medical scientists and qualified members of the medical profession. The direction of research work in whole or in part toward malignant diseases other than cancer shall not be a violation of the conditions of the grants made under the provisions of which this article is a part. The institute may receive gifts, legacies, and bequests, and use the same in such manner as the board of trustees may determine for the advancement of its objects and purposes."

Schools—Medical Inspection of. (Chap. 627, Act May 23, 1913.)

SECTION 1, chapter 21 of the laws of 1909, entitled "An act relating to education, constituting chapter 16 of the consolidated laws," as amended by chapter 140 of the laws of 1910, is hereby further amended by inserting therein a new article, to be known as article 20-a, and to read as follows:

"ART. 20-a, Sec. 570. *Medical inspection to be provided.*—Medical inspection shall be provided for all pupils attending the public schools in this State, except in cities of the first class, as provided in this article. Medical inspection shall include the services of a trained registered nurse, if one is employed, and shall also include such services as may be rendered as provided herein in examining pupils for the existence of disease or physical defects and in testing the eyes and ears of such pupils.

"SEC. 571. *Employment of medical inspectors.*—The board of education in each city and union free school district, and the trustee or board of trustees of a common school district, shall employ, at a compensation to be agreed upon by the parties, a competent physician residing in the city or district or, in case of a common school district, in the town where such district is situated, as a medical inspector, to make inspections of pupils attending the public schools in the city or district. The physicians so employed shall be legally qualified to practice medicine in this State, and shall have so practiced for a period of at least two years immediately prior to such employment. Any such board or trustees may employ one or more school nurses, who shall be registered trained nurses and authorized to practice as such. Such nurses when so employed shall aid the medical inspector of the district and shall perform such duties for the benefit of the public schools as may be prescribed by such inspector.

"A medical inspector or school nurse may be employed by the trustees or boards of education of two or more school districts, and the compensation of such inspector, and the expenses incurred in making inspections of pupils as provided herein, shall be borne jointly by such districts, and be apportioned among them according to the assessed valuation of the taxable property therein.

"In cities and union free school districts having more than 5,000 inhabitants, the board of education may employ such additional medical inspectors as may be necessary to properly inspect the pupils in the school in such cities and union free school district.

"The trustees of a common school district or the board of education of a union free school district whose boundaries are coterminous with the boundaries of an incorporated village shall, in the employment of medical inspectors, employ the health officer of the town in which such common school district is located or the health officer of the union free school district, so far as may be advantageous to the interests of such district.

"SEC. 572. *Pupils to furnish health certificates.*—A health certificate shall be furnished by each pupil in the public schools upon his entrance in such schools, and thereafter at the opening of such schools at the beginning of each school year. Each certificate shall be signed by a duly licensed physician who is authorized to practice medicine in this State, and shall describe the condition of the pupil when the examination was made, which shall not be more than 30 days prior to the presentation of such certificate, and state whether such pupil is in a fit condition of bodily health to permit his or her attendance at the public schools. Such certificate shall be submitted within 30 days to the principal or teacher having charge of the school and shall be filed with the clerk of the district. If such pupil does not present a health certificate as herein required, the principal or teacher in charge of the school shall cause a notice to be sent to the parents of such pupil that if the required health certificate is not furnished within 30 days from the date of such notice, an examination will be made of such pupil as provided herein.

"SEC. 573. *Examinations by medical inspectors.*—Each principal or teacher in charge of a public school shall report to the medical inspector having jurisdiction over such school the names of all pupils who have not furnished health certificates as provided in the preceding section, and the medical inspector shall cause such pupils to be separately

and carefully examined and tested to ascertain whether any of them are suffering from defective sight or hearing, or from any other physical disability tending to prevent them from receiving the full benefit of school work, or requiring a modification of such work to prevent injury to the pupils or to receive the best educational results. If it be ascertained upon such test or examination that any of such pupils are afflicted with defective sight or hearing or other physical disability as above described the principal or teacher, having charge of such school, shall notify the parents or other persons with whom such pupils are living, as to the existence of such defects and physical disability. If the parents or guardians are unable or unwilling to provide the necessary relief and treatment for such pupils, such fact shall be reported by the principal or teacher to the medical inspector, whose duty it shall be to provide relief for such pupils.

"**SEC. 574. *Record of examination; eye and ear tests.***—Medical inspectors or principals and teachers in charge of public schools shall make eye and ear tests of the pupils in such schools, at least once in each school year. The State commissioner of health shall prescribe the method of making such tests, and shall furnish general instruction in respect to such tests. The commissioner of education, after consultation with the State commissioner of health, shall prescribe and furnish to the school authorities suitable rules of instruction as to tests and examinations made as provided in this article, together with test cards, blanks, record books and other useful appliances for carrying out the purposes of this article. The commissioner of education shall provide for pupils in the normal schools, city training schools and training classes instruction and practice in the best methods of testing the sight and hearing of children.

"**SEC. 575. *Existence of contagious diseases; return after illness.***—Whenever upon investigation a pupil in the public schools shows symptoms of smallpox, scarlet fever, measles, chicken pox, tuberculosis, diphtheria, influenza, tonsillitis, whooping cough, mumps, scabies or trachoma, he shall be excluded from the school and sent to his home immediately, in a safe and proper conveyance, and the health officer of the city or town shall be immediately notified of the existence of such disease. The medical inspector shall examine each pupil returning to a school without a certificate from the health officer of the city or town, or the family physician, after absence on account of illness or from unknown cause. Such medical inspectors may make such examinations of teachers, janitors, and school buildings as in their opinion the protection of the health of the pupils and teachers may require.

"**SEC. 576. *Enforcement of law.***—It shall be the duty of the commissioner of education to enforce the provisions of this article, and he may adopt such rules and regulations not inconsistent herewith, after consultation with the State commissioner of health, for the purpose of carrying into full force and effect the objects and intent of this article. He may, in his discretion, withhold the public money from a district which willfully refuses or neglects to comply with this article and the rules and regulations made hereunder.

"**SEC. 577. *State medical inspection of schools.***—The commissioner of education shall appoint a competent physician who has been in the actual practice of his profession for a period of at least five years as State medical inspector of schools. The State medical inspector of schools, under the supervision of the commissioner of education, shall perform such duties as may be required for carrying out the provisions of this article. The said medical inspector shall be appointed in the same manner as other employees of the education department."

SEC. 2. This act shall take effect August 1, 1913.

State Department of Health—Officers—Powers and Duties. (Chap. 559, Act May 17, 1913.)

SECTION 1. Section 2 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," is hereby amended to read as follows:

"**SEC. 2. *State department of health; commissioner of health; deputy.***—The State department of health and the office of commissioner of health are continued. The com-

missioner of health shall be the head of such department. Such commissioner shall be appointed by the governor, by and with the advice and consent of the senate, and shall be a physician, a graduate of an incorporated medical college, of at least 10 years' experience in the actual practice of his profession, and of skill and experience in public health duties and sanitary science. During his term of office he shall not engage in any occupation which would conflict with the performance of his official duties. The term of office of the commissioner shall be six years, beginning on the 1st day of January of the year in which he is appointed. The commissioner of health shall appoint and at pleasure remove a deputy commissioner, who shall be a physician actively engaged in the practice of his profession in this State for at least 5 years. The deputy shall perform such duties as shall be prescribed by the commissioner."

SEC. 2. Such chapter is hereby amended by inserting therein three new sections, to be sections 2a, 2b, and 2c, to read as follows:

"SEC. 2a. *Public health council*.—There shall be a public health council to consist of the commissioner of health and six members, hereinafter called the appointive members, to be appointed by the governor, of whom at least three shall be physicians, and shall have had training or experience in sanitary science, and one shall be a sanitary engineer. Of the appointive members first appointed one shall hold office until January 1, 1914, one until January 1, 1915, one until January 1, 1916, one until January 1, 1917, one until January 1, 1918, and one until January 1, 1919, and the terms of office of members thereafter appointed, except to fill vacancies, shall be 6 years. Vacancies shall be filled by appointment for the unexpired term. The public health council shall meet as frequently as its business may require, and at least twice in each year. The governor shall designate one of the members of the public health council as its chairman. The commissioner of health, upon the request of the public health council, shall detail an officer or employee of the department of health to act as secretary of the public health council, and shall detail from time to time such other employees as the public health council may require. The public health council shall enact and from time to time may amend by-laws in relation to its meetings and the transaction of its business. The members of the public health council other than the commissioner of health shall each receive an annual salary of \$1,000, and all members shall be reimbursed for their reasonable and necessary traveling and other expenses incurred in the performance of their official duties.

"SEC. 2b. *Sanitary code*.—The public health council shall have power by the affirmative vote of a majority of its members to establish and from time to time amend sanitary regulations, hereinafter called the sanitary code, without discrimination against any licensed physicians. The sanitary code may deal with any matters affecting the security of life or health or the preservation and improvement of public health in the State of New York, and with any matters as to which jurisdiction is hereinafter conferred upon the public health council. The sanitary code may include provisions regulating the practice of midwifery and for the promotion of health in any or all Indian reservations. Every regulation adopted by the public health council shall state the date on which it takes effect, and a copy thereof, duly signed by the secretary of the public health council, shall be filed in the office of the secretary of state, and a copy thereof shall be sent by the commissioner of health to each health officer within the State, and shall be published in such manner as the public health council may from time to time determine. The provisions of the sanitary code shall have the force and effect of law, and any violation of any portion thereof may be declared to be a misdemeanor. No provision of the sanitary code shall relate to the city of New York or any portion thereof, and every provision of the sanitary code shall apply to and be effective in all portions of the State except the city of New York unless stated otherwise.

"SEC. 2c. *Enforcement of sanitary code*.—The provisions of the sanitary code shall, as to matters to which it relates and in the territory prescribed therefor by the public

health council, supersede all local ordinances heretofore or hereafter enacted inconsistent therewith. Each city, town, or village may, in the manner hereinafter prescribed, enact sanitary regulations not inconsistent with the sanitary code established by the public health council. The public health council shall have power to prescribe by regulations the qualifications of directors of divisions, sanitary supervisors, local health officers hereafter appointed, and public health nurses.

"The actions, proceedings, and authority of the State health department in enforcing the provisions of the public health law and sanitary code applying them to specific cases shall at all times be regarded as in their nature judicial, and shall be treated as *prima facie* just and legal. All meetings of said public health council shall in every suit and proceeding be taken to have been duly called and regularly held, and all regulations and proceedings to have been duly authorized unless the contrary be proved.

"The public health council shall have no executive, administrative, or appointive duties. It shall, at the request of the commissioner of health, consider any matter relating to the preservation and improvement of public health, and may advise the commissioner thereon, and it may from time to time submit to the commissioner any recommendations which it may deem wise."

SEC. 3. Section 3 of such chapter is hereby amended to read as follows:

"SEC. 3. *Compensation of officers and employees.*—The commissioner of health shall receive an annual salary of \$8,000 and his expenses actually and necessarily incurred in the performance of his official duties, to be paid monthly on the audit of the comptroller. The deputy commissioner of health shall receive an annual salary of \$5,000 and his expenses actually and necessarily incurred in the performance of his official duties, to be paid monthly on the audit of the comptroller. The commissioner of health may employ such clerical and other assistants as are necessary for the proper performance of the powers and duties of the department and fix their compensation within the amount appropriated therefor by the legislature."

SEC. 4. Such chapter is hereby amended by inserting therein a new section, to be section 3a, to read as follows:

"SEC. 3a. *Divisions.*—There shall be in the State department of health the following divisions, together with such other divisions as the commissioner may from time to time determine: (1) Division of administration, (2) division of sanitary engineering, (3) division of laboratories and research, (4) division of communicable diseases, (5) division of vital statistics, (6) division of publicity and education, (7) division of child hygiene, (8) division of public health nursing, (9) division of tuberculosis. Each such division shall be under the management of a director appointed by the commissioner."

SEC. 5. Section 4 of such chapter is hereby amended to read as follows:

"SEC. 4. *General powers and duties of commissioner.*—The commissioner of health shall take cognizance of the interests of health and life of the people of the State and of all matters pertaining thereto. He shall exercise general supervision over the work of all local health authorities except in the city of New York. He shall be charged with the enforcement of the public health law and the sanitary code. He shall make inquiries in respect to the causes of disease, especially epidemics, and investigate the sources of mortality, and the effect of localities, employments, and other conditions upon the public health. He shall obtain, collect, and preserve such information relating to mortality, disease, and health as may be useful in the discharge of his duties or may contribute to the promotion of health or the security of life in the State. He may issue subpoenas, compel the attendance of witnesses and compel them to testify in any matter or proceeding before him, and a witness may be required to attend and give testimony in a county where he resides or has a place of business without the payment of any fees. The commissioner of health may reverse or modify an order, regulation, by-law, or ordinance of a local board of health con-

cerning a matter which in his judgment affects the public health beyond the territory over which such local board has jurisdiction; and may exercise exclusive jurisdiction over all lands acquired by the State for sanitary purposes. The commissioner of health and any person authorized by him so to do may, without fee or hindrance, enter, examine, and survey all grounds, erections, vehicles, structures, apartments, buildings, and places."

SEC. 6. Such chapter is hereby amended by inserting therein three new sections, to be sections 4a, 4b, and 4c, to read, respectively, as follows:

"SEC. 4a. *Sanitary districts; sanitary supervisors: public health nurses.*—The commissioner of health shall from time to time divide the State, except cities of the first class, into 20 or more sanitary districts. He shall appoint for each of such districts a sanitary supervisor, who shall be a physician. Each sanitary supervisor, under the direction of the commissioner of health and subject to the provisions of the sanitary code, shall, in addition to such other duties as may be imposed upon him, perform the following duties:

"1. Keep himself informed as to the work of each local health officer within his sanitary district;

"2. Aid each local health officer within his sanitary district in the performance of his duties, and particularly on the appearance of any contagious disease;

"3. Assist each local health officer within his sanitary district in making an annual sanitary survey of the territory within his jurisdiction, and in maintaining therein a continuous sanitary supervision;

"4. Call together the local health officers within his district or any portion of it from time to time for conference;

"5. Adjust questions of jurisdiction arising between local health officers within his district;

"6. Study the causes of excessive mortality from any disease in any portion of his district;

"7. Promote efficient registration of births and deaths;

"8. Inspect from time to time all labor camps within his district and enforce the regulations of the public health council in relation thereto;

"9. Inspect from time to time all Indian reservations and enforce all provisions of the sanitary code relating thereto;

"10. Endeavor to enlist the cooperation of all the organizations of physicians within his district in the improvement of the public health therein;

"11. Promote the information of the general public in all matters pertaining to the public health;

"12. Act as the representative of the State commissioner of health, and under his direction, in securing the enforcement within his district of the provisions of the public health law and the sanitary code.

"The commissioner of health, whenever he may deem it expedient so to do, may employ such number of public-health nurses as he may deem wise within the limits of his appropriation, and may assign them from time to time to such sanitary districts and in such manner as in his judgment will best aid in the control of contagious and infectious diseases and in the promotion of public health.

"SEC. 4b. *Duties of commissioner with respect to laboratories.*—The commissioner of health shall establish and maintain one or more laboratories with such expert assistants and such facilities as are necessary for routine examinations and analyses and for original investigations and research in matters affecting public health. He shall have authority to make, at the expense of the State, such examinations and analyses at the request of any health officer or of any physician. He may enter into contracts with laboratories in localities accessible to the various portions of the State for the prompt examination of specimens received from local health officers or physician, and for the immediate report thereon, at the expense of the State: *Provided*, That all

such laboratories shall conform to standards of efficiency established by the public-health council, and that no obligation shall be incurred by the commissioner in excess of the sums available therefor.

"**Sec. 4c. Duties of commissioner with respect to hospitals for contagious diseases.**—The commissioner of health shall from time to time submit to the authorities of the several municipalities of the State such recommendations as he may deem wise as to the establishment of hospitals for contagious diseases, indicating the diseases for which in his judgment provision should be made and the extent of such provision. It shall be the duty of the commissioner to inspect from time to time all hospitals for contagious diseases maintained under the jurisdiction of any municipal authority and to report as to the condition and needs of such hospitals to the authorities of the municipality, and to include an abstract of such reports in his annual report. The public-health council may from time to time establish regulations for the maintenance of hospitals for contagious diseases."

Sec. 7. Sections 11 and 13 of such chapter are hereby amended to read, respectively, as follows:

"**Sec. 11. Power of commissioner where board of health fails to appoint health officer.**—If any local board of health shall fail to appoint a health officer, the commissioner of health may, in such municipality, exercise the powers of a health officer thereof. The expenses lawfully incurred by him in such municipality shall be a charge upon and paid by such municipality until such time as a local health officer shall be appointed therein, whereupon the jurisdiction of the commissioner of health conferred by this section shall cease."

"**Sec. 13. Tenement houses in cities.**—The commissioner shall have power to examine into the enforcement of the laws relating to tenement houses in any city. Whenever required by the governor, he shall make such an examination and shall report the results thereof to the governor within the time prescribed by him therefor."

Sec. 8. Section 14 of such chapter, as amended by chapter 92 of the laws of 1910, is hereby amended to read as follows:

"**Sec. 14. Approval of plans for certain works built by State and inspection of State institutions by State commissioner of health.**—In all buildings and institutions owned, maintained, or controlled by the State the plans for all water supply, sewerage, sewage-disposal and garbage-disposal works shall be subject to the approval of the State commissioner of health before being adopted or constructed. The State commissioner of health shall make from time to time, and at least once in each year, an examination and inspection of the sanitary conditions of all State institutions and transmit copies of his report and recommendations thereon to the president of the board of managers or trustees or other authority in charge of such institution and to the fiscal supervisor of State charities in case of institutions reporting to that official. It shall be the duty of the superintendents of said institutions to immediately report an outbreak of a contagious or infectious disease to the State commissioner of health, and upon receipt of such report the State commissioner of health shall advise the superintendent of said institution as to the best means to effectually control said disease. It shall be the duty of the State commissioner of health to make regular analyses of the water supplies of said institutions at least twice in each year, and furnish copies of his reports thereon to the president of the board of managers or trustees or other authority in charge of the institutions, and to the fiscal supervisor of State charities in case of institutions reporting to that official."

Local Boards of Health—Powers and Duties—Officers. (Chap. 559, Act May 17, 1913.)

Sec. 9. Section 20 of such chapter [chap. 45, Consolidated Laws], as amended by chapter 165 of the laws of 1909, is hereby amended to read as follows:

"**Sec. 20. Local boards of health.**—There shall continue to be local boards of health and health officers in the several cities, villages, and towns of the State. In the cities,

except cities of the first and second class, the board shall consist of the mayor of the city, who shall be its president, and at least six other persons, one of whom shall be a competent physician, who shall be appointed by the common council, upon the nomination of the mayor, and shall hold office for three years. Appointments of members of such boards shall be made for such shorter terms as at any time may be necessary, in order that the terms of two appointed members shall expire annually. In the cities, except cities of the first and second class, and such other cities whose charters otherwise provide, the board shall appoint, for a term of four years, a competent physician, not one of its members, to be the health officer of the city, and shall fill any vacancy that now exists or may hereafter exist from expiration of term or otherwise in the office of health officer of the city. In villages the board shall consist of the board of trustees of such village. In towns the board of health shall consist of the town board. The local board of health shall appoint a competent physician, not a member of the local board of health, to be the health officer of the municipality. The term of office of the health officer shall be four years and he shall hold office until the appointment of his successor. He may be removed for just cause by the local board of health or the State commissioner of health after a hearing; such removal by the local board of health must be approved by the State commissioner of health. The health officer need not reside within the village or town for which he shall be chosen, but unless he shall, he must reside in an adjoining town. Notice of the membership and organization of every local board of health shall be forthwith given by such board to the State department of health. The term "municipality," when used in this article, means the city, village, or town for which any such local board may be or is appointed. The provisions herein contained as to boards of health, and for the appointment of health officers, shall apply to all towns and villages, whether such villages are organized under general or special laws.

"All rights, powers, duties, and obligations of each and every town board of health on the date on which this section as amended shall take effect are hereby transferred on that date to the town board of the town, and all rights, powers, duties, and obligations of each and every village board of health on the date on which this section as amended shall take effect are hereby transferred on that date to the board of trustees of the village. The members of town boards and of village boards of trustees shall not receive additional compensation by reason of serving as members of town and village boards of health, respectively. Any matter within the jurisdiction of a town or village board of health may be considered and acted upon at any meeting of such town board or village board of trustees."

SEC. 10. Section 21 of such chapter [chap. 45, Consolidated Laws], as amended by chapter 480 of the laws of 1909, is hereby amended to read as follows:

"SEC. 21. *General powers and duties of local boards of health.*—Every such local board of health shall meet at stated intervals to be fixed by it in the municipality. The presiding officer of every such board may call special meetings thereof when in his judgment the protection of the public health of the municipality requires it, and he shall call such meeting upon the petition of at least 25 residents thereof, of full age, setting forth the necessity of such meeting. Every such local board, subject to the provisions of the public health law and of the sanitary code, shall prescribe the duties and powers of the local health officer, who shall be its chief executive officer, and direct him in the performance of his duties, and fix his compensation, which in case of health officers of cities, towns, and villages having a population of 8,000 or less, shall not be less than the equivalent of 10 cents per annum per inhabitant of the city, town, or village according to the latest Federal or State enumeration; and in cities, towns, and villages having a population of more than 8,000 shall not be less than \$800 per annum. In addition to his compensation so fixed, the board of health must allow the actual and reasonable expenses of said health officer in the performance of his official duties and in going to, attending, and returning from the annual sani-

tary conference of health officers, or equivalent meeting, held yearly within the State, and conferences called by the sanitary supervisor of the district, and whenever the services rendered by its health officer shall include the care of smallpox, the board of health shall allow, or whenever such services are extraordinary, by reason of infectious diseases, or otherwise, they may in their discretion, allow to him such further sum in addition to said fixed compensation as shall be equal to the charges for consultation services in the locality, audited by the town board of a town, by the board of trustees of a village, or by the proper auditing board of a city of the third class, which said expenses and said additional compensation shall be a charge upon and paid by the municipality, as provided in section 35 of this chapter.

"Every such local board shall make and publish from time to time all such orders and regulations, not inconsistent with the provisions of the sanitary code, as it may deem necessary and proper for the preservation of life and health and the execution and enforcement of this chapter in the municipality. It shall make, without publication thereof, such orders and regulations for the suppression of nuisances and concerning all other matters in its judgment detrimental to the public health in special or individual cases, not of general application, and serve copies thereof upon the owner or occupant of any premises whereon such nuisances or other matters may exist, or upon which may exist the cause of other nuisances to other premises, or cause the same to be conspicuously posted thereon. The health officer may employ such persons as shall be necessary to enable him to carry into effect the orders and regulations of the board of health and the provisions of the public health law and of the sanitary code, and fix their compensation within the limits of the appropriation therefor. The board of health may issue subpoenas, compel the attendance of witnesses, administer oaths to witnesses and compel them to testify, and for such purposes it shall have the same powers as a justice of the peace of the State in a civil action of which he has jurisdiction. It may designate by resolution one of its members to sign and issue such subpoenas. No subpoena shall be served outside the jurisdiction of the board issuing it, and no witness shall be interrogated or compelled to testify upon matters not related to the public health. It may issue warrants to any constable or policeman of the municipality to apprehend and remove such persons as can not otherwise be subjected to its orders or regulations, and a warrant to the sheriff of the county to bring to its aid the power of the county whenever it shall be necessary to do so. Every warrant shall be forthwith executed by the officer to whom directed, who shall have the same powers and be subject to the same duties in the execution thereof as if it had been duly issued out of a court of record of the State. Every such local board may prescribe and impose penalties for the violation of or failure to comply with any of its orders or regulations, not exceeding \$100 for a single violation or failure, to be sued for and recovered by it in the name and for the benefit of the municipality; and may maintain actions in any court of competent jurisdiction to restrain by injunction such violations, or otherwise to enforce such orders and regulations."

§ 11. Such chapter [chap. 45, Consolidated Laws] is hereby amended by inserting therein three new sections, to be sections 21a, 21b, and 21c, to read, respectively, as follows:

"§ 21a. *Powers and duties as to sewers.*—Whenever such local board of health in any incorporated village shall deem the sewers of such village insufficient to properly and safely sewer such village and protect the public health it shall certify such fact in writing, stating and recommending what additions or alterations should in the judgment of such board of health be made, with its reasons therefor, to the State commissioner of health for his approval, and if such recommendations shall be approved by the State commissioner of health it shall be the duty of the board of trustees or other board of such village having jurisdiction of the construction of sewers therein, if there be such a board, whether sufficient funds shall be on hand for such purpose or not,

forthwith make such additions to or alterations in the sewers of such village and execute such recommendations, and the expenses thereof shall be paid for wholly by said village in the same manner as other village expenses are paid or by an assessment of the whole amount against the property benefited, or partly by the village and partly by an assessment against the property benefited, as the board of trustees of such village shall by resolution determine. If the board of trustees shall determine that such expenses shall be paid partly by the village and partly by an assessment against the property benefited, as authorized by this section, it shall in the resolution making such determination fix the proportion of such expense to be borne by each, and the proportion thereof to be raised by an assessment against the property benefited shall be assessed and collected in the manner provided by the village law for the assessment and collection of sewer assessments. Said village is hereby authorized to raise such sums as may be necessary for the payment of the expenses incurred, which are a village charge, if any, as herein provided in addition to the amount such village is now authorized to raise by law for corporation purposes, and such board shall have the right to acquire such lands, rights of way, or other easements by gift, or purchase, or in case the same can not be acquired by purchase may acquire the same by condemnation in the manner provided by law.

"Sec. 21b. *General powers and duties of health officers.*—Health officers of towns and villages, in addition to such other duties as may be lawfully imposed upon them and subject to the provisions of the public health law and the sanitary code, shall perform the following duties:

"1. Make an annual sanitary survey and maintain a continuous sanitary supervision over the territory within their jurisdiction.

"2. Make a medical examination of every school child as soon as practicable after the opening of each school year, except in those schools in which the authorities thereof make other provision for the medical examination of the pupils.

"3. Make a sanitary inspection periodically of all school buildings and places of public assemblage, and report thereon to those responsible for the maintenance of such school buildings and places of public assemblage.

"4. Promote the spread of information as to the causes, nature, and prevention of prevalent diseases and the preservation and improvement of health.

"5. Take such steps as may be necessary to secure prompt and full reports by physicians of communicable diseases and prompt and full registration of births and deaths.

"6. Enforce within their jurisdiction the provisions of the public health law and the sanitary code.

"7. Attend the annual conferences of sanitary officers called by the State department of health, and local conferences within his sanitary district to which he may be summoned by the sanitary supervisor thereof.

"The written reports of public health officers, inspectors, nurses, and other representatives of public health officers on questions of fact under the public health law or under the sanitary code or any local health regulation shall be presumptive evidence of the facts so stated, and shall be received as such in all courts and places. The persons making such reports shall be exempt from personal liability for the statements therein made, if they have acted in good faith.

"No health officer, inspector, public health nurse, or other representative of a public health officer, and no person or persons other than the city, village, or town by which such health officer or representative thereof is employed, shall be sued or held to liability for any act done or omitted by any such health officer or representative of a health officer in good faith and with ordinary discretion on behalf or under the direction of such city, village, or town or pursuant to its regulations or ordinances, or the sanitary code, or the public health law. Any person whose property may have been unjustly or illegally destroyed or injured pursuant to any order,

regulation, or ordinance, or action of any board of health or health officer, or representative of a health officer, for which no personal liability may exist as aforesaid, may maintain a proper action against the city, village, or town for the recovery of proper compensation or damages. Every such suit must be brought within six months after the cause of action arose and the recovery shall be limited to the damages suffered.

"**SEC 21c. Public health nurses.**—Each health officer or other official exercising similar duties, by whatever official designation he may be known, shall have power to employ such number of public health nurses as in his judgment may be necessary within the limits of the appropriation made therefor by the city, town, or village. They shall work under the direction of the health officer and may be assigned by him to the reduction of infant mortality, the examination or visitation of school children or children excluded from school, the discovery or visitation of cases of tuberculosis, the visitation of the sick who may be unable otherwise to secure adequate care, the instruction of members of households in which there is a sick person, or to such other duties as may seem to him appropriate."

Local Boards of Health—Jurisdiction—Expenses. (Chap. 559, Act May 17, 1913.)

SEC. 34. Jurisdiction of town boards.—A town board of health shall not have jurisdiction over any city or incorporated village or part of such city or village in such town.

SEC. 35. Expenses, how paid.—All expenses incurred by any local board of health in the performance of the duties imposed upon it or its members by law shall be a charge upon the municipality, and shall be audited, levied, collected, and paid in the same manner as the other charges of, or upon, the municipality are audited, levied, collected, and paid. The taxable property of any incorporated village shall not be subject to taxation for maintaining any town board of health, or for any expenditure authorized by the town board, but the costs and expenditures of the town board shall be assessed and collected exclusively on the property of the town outside of any such village.

SEC. 38. Exceptions and limitations as to city of New York.—Sections 20 to 38, inclusive, of this article shall not be construed to affect, alter, or repeal laws now in force relating to the board of health of the city of New York nor the sanitary code duly adopted and now in force in such city.

Laboratories, Hygienic and Antitoxin—Purchase of Site. (Chap. 657, Act May 23, 1913.)

SECTION 1. The commissioners of the land office may acquire by purchase a farm site for the hygienic and antitoxin laboratories of the State department of health, at a cost of not more than \$10,000. Such site shall be subject to the approval of the commissioner of health, and the title thereof shall be approved by the attorney general before a conveyance thereof shall have been accepted on behalf of the State.

SEC. 2. Upon the acquisition of such site, the commissioner of health shall cause such part of the equipment of the hygienic and antitoxin laboratories of the State department of health now located on Yates and Morris Streets, in the city of Albany, to be transferred thereto as he deems proper, and shall notify the commissioners of the land office of the portion of such premises vacated by him and no longer required for the purposes of such laboratories.

SEC. 3. The commissioners of the land office upon receiving notice from the commissioner of health that the whole or a part of the property has been vacated for laboratory purposes, may sell the vacated part thereof specified in such notice, and such commissioners are hereby authorized to execute in behalf of the people of the State a conveyance thereof. The proceeds of any such sale shall be paid into the State treasury.

SEC. 4. The sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated, for the purposes of this act, out of any money in the treasury not otherwise appropriated, payable by the treasurer on the warrant of the comptroller, on the order of the commissioners of the land office and the commissioner of health.

Autopsies—Commissioner of Health to Prescribe Methods and Forms for Keeping Records of. (Chap. 620, Act May 21, 1913.)

SECTION 1. Article 2 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," is hereby amended by inserting after section 5, a new section, to be section 5-a, to read as follows:

"SEC. 5-a. *Regulation and control of autopsies.*—The commissioner of health shall prescribe and prepare the necessary methods and forms for obtaining and preserving records and statistics of autopsies which are conducted by the coroner or by his order within the State of New York, and shall require all those performing such autopsies, for the purpose of determining the cause of death, to enter upon such record the pathological appearances and findings embodying such information as may be prescribed, and to append thereto the diagnosis of the cause of death, and a copy thereof shall be duly filed within 10 days with the coroner of the county in which such autopsy shall be held, and a transcript thereof shall be filed within 10 days thereafter by the coroner with the State commissioner of health, and it shall thereupon become a matter of public record which shall be open to the inspection and transcription of and by one affected or likely to be affected, in a civil or criminal action, by its contents upon an order of a court of record or of a justice of the supreme court.

"It shall be the duty of any surgeon performing such an autopsy, under the provisions of this section, to permit the attendance, as a matter of right, of a person, or the medical representative of such person, likely to be the defendant or representative of such deceased person in a civil or criminal action of which such autopsy and its findings and conclusions may prove to become a part or in any way affected thereby."

Health Officer of the Port of New York—Fees, Salaries, and Expenses. (Chap. 136, Act Mar. 26, 1913.)

SECTION 1. Section 144 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as amended by chapter 375 of the laws of 1909 and chapter 425 of the laws of 1910, is hereby amended to read as follows:

"SEC. 144. *Fees of health officer, payment of salaries and expenses.*—The health officer shall receive, on behalf of the State of New York, for services rendered by him, fees at rates not to exceed the following, namely: For inspection of any vessel from a foreign port, whose registered gross tonnage shall exceed 500 tons, the sum of \$10. For inspection of every vessel from a foreign port, whose gross registered tonnage shall not exceed 500 tons, \$5. For inspection of every such other vessel as the health officer may deem to be quarantinable and subject to visitation and inspection and so designate either by name or by class, \$3. For medical inspection of third-class or steerage passengers upon all ships entering the port of New York as follows: For the first 100 or fraction thereof, \$5; for every additional 100 or fraction thereof of such passengers, \$3. For each special permit issued for the discharge of cargo, portion of cargo, or baggage brought as freight, \$1. For special sanitary inspection of every vessel before or after the discharge of cargo or ballast, \$10. For fumigation and disinfection of every vessel, which, in the judgment of the health officer, shall require fumigation and disinfection, at rates to be fixed in proportion to the service rendered by the health officer, but not to exceed the following: For vessels whose gross registered tonnage shall not exceed 2,000 tons, \$50; for vessels whose gross registered tonnage shall exceed 2,000 tons, for every 1,000 or fraction thereof in excess of the said 2,000 tons, \$25; for boarding every

vessel carrying passengers between sunset and sunrise and inspecting the same, at the request of the owner, consignee, or master of the vessel and granting pratique when such pratique can be given without danger to the public health, \$15. For vaccination of persons on vessels, each 25 cents. But no charge shall be made for the vaccination of any person who shall have been successfully vaccinated by the medical officer of said vessel. For the maintenance and care of all persons removed from vessels and detained at quarantine for observation, \$1.50 per capita per diem. For the maintenance, care, medical treatment, and hospital accommodation of all persons removed from vessels, whose physical condition shall make such medical treatment and hospital accommodation necessary in the judgment of the health officer, \$2 per capita per diem.

"He shall pay all the salaries and wages of the deputy health officers and other officers and employees as may be necessary for the performance of the duties imposed upon him by law for the carrying on of a quarantine establishment, and shall pay all the necessary expenses of maintaining such establishment and the steamboat service necessarily connected therewith. The salary of the health officer and of all persons appointed or employed by him, and all the expenses necessarily incurred by him in the performance of the duties of his office, shall be paid by the State out of the money appropriated therefor. There may be annually appropriated for the health officer a contingent fund, which, notwithstanding any other provision of law, may be paid to him by the treasurer on the warrant of the comptroller. Such fund may be used by him to pay the current expenses of his office for which no immediate payment in cash is required, but he shall render to the State comptroller on or before the 5th day of each month a sworn itemized statement of all expenditures from such fund during the preceding calendar month. The health officer shall keep an account of all moneys received or disbursed by him under this section. This section shall not affect the liability of masters or owners of vessels, or consignees or agents of such masters or owners of vessels, passengers, or other persons to pay for such services, labor, or work as they are respectively required to pay or discharge by law. And the health officer shall have the power to order to quarantine and detain therein any vessel whose master, owner, consignee, or agent doing business in the city of New York, if there be such agent of said master, owner, or consignee, or any one of such, shall refuse or neglect to pay the fees and charges herein provided for within three days after notification to such master, owner, consignee, or agent of the fact that such charges have been assessed against such vessel. Such power may be exercised by the health officer within a period of one year after the performance of the services for which such charges are made, and such vessel may be released from the health officer's custody as aforesaid only upon the filing of a bond in double the amount of said charges or a judicial determination with respect to the same. Nothing herein contained shall affect the right of the health officer, or of the State through the health officer, to proceed for the collection of such fees as is otherwise by law provided."

Health Officer of the Port of New York—Lien for Fees and Expenses. (Chap. 162, Act Apr. 2, 1913.)

SECTION 1. Section 138 of chapter 49 of the laws of 1909, entitled "An act in relation to public health, constituting chapter 45 of the consolidated laws," as amended by chapter 375 of the laws of 1909 is hereby amended to read as follows:

"SEC. 138. *Lien for services and expenses.*—All such expenses, services, and charges shall be a lien on the vessels, merchandise, or other property in relation to which they shall have been made, incurred or rendered, and if such master, owner, consignee or the charterer or agent of vessels where the owner does not reside within the United States, shall omit to pay the same within three days after the presentation of such account, the health officer may proceed to enforce such lien in the manner provided in the lien law for the enforcement of liens upon vessels; or he may have or maintain

an action against such master, owner, consignee or the charterer or agent of such vessels where the owner does not reside within the United States to recover the amount of such expenses, services and charges, and such master, owner, consignee, charterer or agent shall be deemed indebted to him in such amount and may recover from any passenger liable to pay the same [sic] amount of any expense incurred on account of such passenger. The health officer shall have the same remedies to enforce any other lien or to recover for any expenses, services or charges which are by law made payable to him if they remain unpaid for three days after payment shall have been demanded by him. The vessel, cargo or other property upon which any lien exists by virtue of any provision in this article, shall be held in quarantine until the amount due for the expenses, services or charges constituting such lien is paid, unless such master, owner, consignee, charterer or agent shall execute to the health officer a bond with sufficient sureties to be approved by him, conditioned for the payment thereof within ten days thereafter."

Food—Cleanliness Required in its Preparation and Service in Public Places. (Chap. 552, Act May 16, 1913.)

SECTION 1. Chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," is hereby amended by adding, after article 17 thereof, a new article to be article 17-a, to read as follows:

"ART. 17-a. SEC. 343-a. *Cleanliness in the preparation and service of food.*—A person or corporation engaged in the preparation and sale of food in any hotel, public restaurant, public dining room, dining car, or steamboat in this State, or an officer of any public, penal, or charitable institution in this State, shall not use in the preparation or service of any food utensils, dishes, or other containers which have not been previously cleansed in a sanitary manner. In such cleansing the use of water which has become unsanitary by previous use is prohibited.

"SEC. 343-b. *Powers of the State commissioner of health.*—The State commissioner of health is hereby vested with full power and authority to inspect and supervise all public places in this State above enumerated in which food is prepared, sold, or served. Such commissioner or his duly authorized agents or employees shall be permitted access to the kitchens of all hotels, public restaurants, public dining rooms, dining cars, and steamboats in this State and to the kitchens of all public, penal, and charitable institutions in this State for the purpose of ascertaining whether the provisions of this article are being observed, and he may adopt such rules and regulations as may be determined upon from time to time for the proper enforcement of this article. The State commissioner of health may appoint and designate from time to time persons to make the inspections authorized by this article.

"SEC. 343-c. *Penalties.*—Any person or corporation, or officer thereof, violating any of the provisions of this article shall be guilty of a misdemeanor. The conviction of any corporation shall not relieve any officer or officers, agents, or employees of such corporation from prosecution under the provisions of this article."

SEC. 2. This act shall take effect September 1, 1913.

Cold Storage—License for Plants—Condemnation of Unwholesome Foodstuffs. (Chap. 560, Act May 17, 1913.)

SECTION 1. Article 16-a of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added to by chapter 335 of the laws of 1911, is hereby amended by adding two new sections, to be known as sections 336-a and 338-a, to read as follows:

"SEC. 336-a. *License to be secured.*—On and after the first day of October, 1913, no person or persons, firm, corporation or corporations, other than those engaged solely and exclusively in the business of storing nuts, fruit, cheese, or vegetables only,

shall operate a cold storage or refrigerating warehouse without a license to be issued by the State department of health. Any person or persons, firm, corporation, or corporations desiring such a license shall make written application to the department on or before the first day of September, 1913, stating the location of its plant or plants. On receipt of the application the department shall cause an examination to be made into the sanitary condition of such plant or plants and if they are found to be in a sanitary condition and otherwise properly equipped for the business of cold storage, the department shall cause a license to be issued authorizing the applicant to operate a cold storage or refrigerating warehouse for and during the period of one year. The license shall be issued upon payment by the applicant of a license fee of \$25 to the State treasurer.

"On or before the first day of September in each subsequent year any person or persons, firm, corporation or corporations, engaged in the business of cold-storage or refrigerating warehousing, shall make a renewal application to the State department of health, stating the location of its plant or plants. If the State department of health is satisfied that the plant or plants continue in a sanitary condition and are otherwise properly equipped for the business of cold storage, the department shall on or before the first day of October in each subsequent year issue a renewal license for one year on the payment of the license fee of \$25. Should any person or persons, firm, corporation or corporations, desire to begin the business of cold-storage or refrigerating warehousing after the first day of October, 1913, it or they shall file an application with the State department of health stating the location of its plant or plants; and the State department of health, after an examination, on payment of the license fee may then issue a license to such applicant, for a period up to and including the first day of October next following. In the event that any warehouse licensed under the provisions of this section, or any portion thereof, shall be deemed by the State department of health to be conducted in an unsanitary manner, it shall be the duty of the department to close such warehouse, or portion thereof, until it shall be put in satisfactory condition; and the department shall have power also to suspend the license in case the needed changes shall not be made within a reasonable time.

"*SEC. 338-a. Food to be condemned.*—The State commissioner of health may seize and condemn any articles of food in cold-storage warehouses which are found to be unfit for use, and such articles of food shall be destroyed or otherwise disposed of under such conditions as the State commissioner of health may prescribe."

Hotels—Sanitary Regulation of. (Chap. 630, Act May 23, 1913.)

SECTION 1. Article 18 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as renumbered article 20 by section 1 of chapter 445 of the laws of 1912, is hereby renumbered article 21 thereof.

SEC. 2. Such chapter is hereby amended by inserting therein a new article, to be article 20 thereof, to read as follows:

"ART. 20. *Sanitary conditions in hotels.*—SEC. 354. *Sewers and drainage.*—Every hotel in this State shall be well drained and ventilated and every hotel connected with a cesspool or located in any city or village having a sewer system shall be well ventilated, drained, plumbed, and connected according to sanitary principles with such cesspool or sewer system, and shall be kept free from effluvia arising from sewer, drain, water-closet, or other source within the control of the owner, manager, agent, or other person in charge of said hotel.

"SEC. 355. *Bedding, sheets, and towels.*—Every hotel in this State shall furnish each guest with clean linen or cotton individual towels in each room occupied by such guest, and also in the public lavatories and washrooms of such hotel, and with clean sheets and pillow slips for the bed, bunk, or cot to be occupied by such guest. Each sheet used shall be 91 inches long, minimum length after being hemmed and laundered,

and of sufficient width to completely cover the mattress and springs, and all sheets and pillow slips after being used by one guest must be washed, dried, and ironed before being furnished to another guest.

"**SEC. 356. Violation a misdemeanor—Enforcement.**—All departments of health and the commissioner or commissioners thereof shall have power to enforce the provisions of this article. The commissioners of health and the respective local boards of health, and any person authorized by either of them so to do, may enter any hotel or any part thereof at any reasonable time to inspect and examine the same to determine whether or not the laws relating to hotels are being complied with. Any hotel proprietor or manager violating any of the provisions of this article is guilty of a misdemeanor. This article shall not apply to cities having a population of one million inhabitants or over."

SEC. 3. This act shall take effect September 1, 1913.

Drugs—Proof of Violations of Law—Taking Samples. (Chap. 223, Act Apr. 7, 1913.)

SECTION 1. Article 11 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as amended by chapter 422 of the laws of 1910, is hereby amended by inserting therein after section 240, a new section, to be section 240a, to read as follows:

"**SEC. 240a. Proof required in prosecuting for certain violations.**—In an action or proceeding, civil or criminal, against any person for violating any provision of this article relating to retailing or dispensing drugs, chemicals, medicines, prescriptions, and poisons, or to misbranding or substituting, it shall be necessary to prove at the trial or hearing that at the time and place of the taking of any sample of drugs, chemicals, medicines, or poisons to be analyzed, the person taking the same divided it into two substantially equal parts, hermetically or otherwise effectively and completely sealed, delivered one such sealed part to the pharmacist, druggist, or storekeeper from whose premises such sample was taken and delivered the other part so sealed to the chemist designated by the State board of pharmacy; and the facts herein required to be proven shall be alleged in the complaint or information by which such action or proceeding was begun."

Births and Deaths—Registration of. (Chap. 619, Act May 21, 1913.)

SECTION 1. Article 18 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as renumbered article 19 by section 5 of chapter 128 of the laws of 1911, and renumbered article 20 by chapter 445 of the laws of 1912, is hereby made article 21 thereof, and sections 350 and 351 of such chapter, as renumbered sections 360 and 361 by chapter 445 of the laws of 1912, are hereby renumbered sections 450 and 451, respectively.

SEC. 2. Such chapter is hereby amended by inserting therein a new article, to be article 20 thereof, to read as follows:

SEC. 370. Registration of births and deaths; duties of State department of health.—The State department of health shall have charge of the registration of births and deaths, shall provide the necessary instructions, forms, and blanks for obtaining and preserving such records, and shall procure the faithful registration of the same in each primary registration district as constituted by this article and in the division of vital statistics at the capital of the State. The said department shall be charged with the uniform and thorough enforcement of this article throughout the State, and shall from time to time recommend any additional legislation that may be necessary for this purpose. The public health council may establish such rules and regulations supplementary to the provisions of this article and not inconsistent therewith, as it may deem necessary from time to time, in relation to the registration of births and deaths. Such rules and regulations shall be observed by all authorities upon whom

duties are imposed by this article in connection with the registration of births and deaths.

SEC. 371. *Duties of State commissioner of health as to vital statistics.*—The State commissioner of health shall have general supervision of the division of vital statistics, which shall be established by the department of health, and which shall be under the immediate direction of a director to be appointed by the commissioner, who shall possess such qualifications as may be prescribed by the public health council. The State commissioner of health shall detail to the division of vital statistics such clerical and other assistants as may be necessary to carry into effect the provisions of this act. The trustees of public buildings shall provide suitable offices in the capitol or elsewhere for the division of vital statistics, which shall be suitably equipped for the permanent and safe preservation of all records received or made under the provisions of this act.

SEC. 372. *Registration districts.*—The State shall be divided into registration districts as follows: Each city, each incorporated village, and each town shall constitute a primary registration district, provided that the State commissioner of health may combine two or more primary registration districts to facilitate registration.

SEC. 373. *Registrar of vital statistics.*—In each primary registration district there shall be a registrar of vital statistics. Qualifications of registrars of vital statistics hereafter appointed shall be prescribed by the public health council. A local health officer shall be eligible for appointment as registrar of vital statistics, and if so appointed and if receiving a salary equivalent to not less than 15 cents per year per inhabitant of such registration district, he shall serve as registrar of vital statistics without additional remuneration therefor. In towns and villages the registrar of vital statistics shall be appointed by the town board and by the village board of trustees, respectively; in the cities, unless otherwise provided by the charter, the registrar of vital statistics shall be appointed by the mayor. The term of office of a registrar of vital statistics, unless the charter of the city or village shall provide otherwise, shall be four years. Each registrar of vital statistics shall hold office until his successor shall have been appointed and shall have qualified. Any registrar of vital statistics who in the judgment of the State commissioner of health fails or neglects to discharge efficiently the duties of his office as set forth in this article, or to make prompt and complete return of births and deaths as required thereby, shall be forthwith removed by the State commissioner of health, and such other penalties may be imposed as are provided by this article. Each registrar of vital statistics shall immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of his absence or inability, and such deputy shall in writing accept such appointment and be subject to all rules and regulations governing registrars. When it appears necessary for the convenience of the people in any rural district, the registrar is authorized, with the approval of the State commissioner of health, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive birth and death certificates and to issue burial or removal permits in and for such portions of the district as may be designated, and each such subregistrar shall note on each certificate over his signature the date of filing and shall forward all certificates to the local registrar of the district within three days, and in all cases before the third day of the following month: *Provided, however,* That each subregistrar shall be subject to the supervision and control of the State commissioner of health and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the regulations of the public health council, and shall be subject to the same penalties for neglect of duty as the local registrar.

SEC. 374. *Correction of defective registration.*—If defects be found in the registration under the supervision of a registrar of vital statistics, the State commissioner of health shall notify such registrar that such defects must be corrected within 10 days of the date of the notice. If such defects are not so corrected, the State commissioner of health shall take control of such registration and of the records thereof, and enforce the

rules and regulations in regard thereto and secure a complete registration in such district, and such control shall continue until the registrar of vital statistics shall satisfy the commissioner of health that he will make such record and registry complete as required by law and by the rules and regulations of the public health council. The expenses incurred by the State commissioner of health or his authorized representative while in control of such registration shall be a charge upon the city, town, or village comprising the registration district.

SEC. 375. *Permits for burial or removal of dead bodies.*—The body of any person whose death occurs in this State or which shall be found dead therein shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the registrar of vital statistics of the registration district in which the death occurred or the body was found. No such burial or removal permit shall be issued by any registrar until, wherever practicable, a complete and satisfactory certificate of death has been filed with him as heretofore provided: *Provided*, That when a dead body is transported from outside of the State into a registration district in this State for burial, the transit or removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be given the same force and effect as the burial permit herein provided for. No registrar of vital statistics shall receive any fee for the issuance of burial or removal permits under this act other than the compensation provided in this article.

SEC. 376. *Registration of stillborn children.*—A stillborn child shall be registered as a birth and also as a death, and separate certificates of both the birth and the death shall be filed with the registrar of vital statistics in the usual form and manner, the certificate of birth to contain in place of the name of the child the word "stillbirth:" *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation, in months, if known, and a burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children, but such cases and stillbirths occurring without attendance of either physician or midwife shall be treated as deaths without medical attendance, as herein-after provided in this article.

SEC. 377. *Certificate of death.*—The certificate of death shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

1. Place of death, including State, county, township, village, or city. If in a city, the ward, street, and house number. If in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.
2. Full name of decedent. If an unnamed child, the surname preceded by "unnamed."
3. Sex.
4. Color or race, as white, black, mulatto (or other negro descent), Indian, Chinese, Japanese, or other.
5. Conjugal condition, as single, married, widowed, or divorced.
6. Date of birth, including the year, month, and day.
7. Age, in years, months, and days. If less than one day, the hours or minutes.
8. Occupation. The occupation to be reported of any person, male or female, who had any remunerative employment, with the statement of trade, profession, or par-

ticular kind of work; general nature of industry, business, or establishment in which engaged or employed.

9. Birthplace; at least State or foreign country, if known.
10. Name of father.
11. Birthplace of father; at least State or foreign country, if known.
12. Maiden name of mother.
13. Birthplace of mother; at least State or foreign country, if known.
14. Signature and address of informant.
15. Official signature of registrar, with the date when certificate was filed, and registered number.
16. Date of death; year, month, and day.
17. Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory, that is to say, secondary cause of complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.
18. Length of residence at place of death and in the State, together with the place where disease was contracted, if not at place of death, and former or usual residence.
19. Place and date of burial, cremation, or removal.
20. Signature and address of undertaker or person in charge of the corpse.

The particulars called for by items 1 to 13, inclusive, shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or person in charge of the corpse. The medical certificates shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. He shall further state the cause of death, so as to show the cause of disease or sequence of causes resulting in the death, giving first the name of the disease causing death; that is to say, the primary cause, and the contributory; that is to say, the secondary cause, if any, and the duration of each. Indefinite terms, denoting only symptoms of disease or conditions resulting from disease, shall not be held sufficient for the issuance of a burial or removal permit. Any certificate stating the cause of death in terms which the State commissioner of health shall have declared indefinite shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be the result of either disease or violence shall be explicitly defined; and if from violence, the means of injury shall be stated, and whether apparently accidental, suicidal, or homicidal. For deaths in hospitals, institutions, or of non-residents, the physician shall supply the information required under item 18, if he is able to do so, and may state where, in his opinion, the disease was contracted.

SEC. 378. *Registration of deaths occurring without medical attendance.*—In case of any death occurring without medical attendance it shall be the duty of the undertaker or other person to whose knowledge the death may come to notify the local health officer of such death, and when so notified the health officer shall immediately investigate and certify as to the cause of death: *Provided*, That if the health officer has reason to believe that the death may have been due to unlawful act or neglect he shall then refer the case to the coroner or other proper officer for his investigation and certification. The coroner or other proper officer whose duty it is to hold an inquest on the body of a deceased person and to make the certificate of death required for a burial permit shall state in his certificate the name of the disease causing death or, if from external causes, the means of death, whether probably accidental, suicidal, or homicidal, and shall, in any case, furnish such information as may be required by the State commissioner of health in order properly to classify the death.

SEC. 379. *Duties of undertaker.*—In each case the undertaker or person having charge of the corpse shall file the certificate of death with the registrar of the district in which

the death occurred and obtain a burial or removal permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from a person qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, who shall forthwith fill out and sign the medical certificate of death, or to the health officer or coroner for the medical certificate of the cause of death and other particulars necessary to complete the record for the registration of deaths, as specified in this article, if no physician was in attendance upon the deceased. He shall then state the facts required relative to the date and place of burial, cremation, or removal, over his signature and with his address, and present the completed certificate to the registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body, or shall attach the removal permit to the box containing the corpse when shipped by any transportation company, said permit to accompany the corpse to its destination, where, if within the State of New York, it shall be delivered to the person in charge of the place of burial.

SEC. 380. *Duties of undertakers; interment within the State.*—If the interment or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the commissioner of health.

SEC. 381. *Interments.*—No person in charge of any premises on which interments or cremations are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, cremation, or transit permit as herein provided. Such person shall indorse upon the permit the date of interment or cremation over his signature, and shall return all permits so indorsed to the registrar of his district within seven days from the date of interment or cremation. He shall keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker; which record shall at all times be open to official inspection; provided that the undertaker or person having charge of the corpse, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal permit, giving the date of burial, and shall write across the face of the permit the words "No person in charge," and file the burial or removal permit within three days with the registrar of the district in which the cemetery is located.

SEC. 382. *Registration of births.*—The birth of each and every child born in this State shall be registered within five days after the date of each birth; there shall be filed with the registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form prescribed therefor by the State commissioner of health. In each case where a physician, midwife, or person acting as midwife, was in attendance upon the birth, it shall be the duty of such physician, midwife, or person acting as midwife, to file said certificate. In each case where there was no physician, midwife, or person acting as midwife, in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within five days after the date of such birth, to report to the local registrar the fact of such birth. In such case and in case the physician, midwife, or person acting as midwife, in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information required in this article, it shall then be the duty of the registrar to secure from the person so reporting, or from any other person having the

required knowledge, such information as will enable him to prepare the certificate of birth herein required, and it shall be the duty of the person reporting the birth or who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all questions put to him by the registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by this article, and it shall be the duty of the informant as to any statement made in accordance herewith to verify such statement by his signature, when requested so to do by the local registrar.

Sec. 383. *Certificate of birth.*—The certificate of birth shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records.

1. Place of birth, including State, county, town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number.

2. Full name of child. If the child dies without a name before the certificate is filed, enter the words "Died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

3. Sex of child.

4. Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.

5. For plural births number of each child in order of birth.

6. Whether legitimate or illegitimate.

7. Date of birth, including the year, month, and day.

8. Full name of father; provided, that if the child is illegitimate, the name of the putative father shall not be entered without his consent; but the other particulars relating to the putative father may be entered if known, otherwise as "unknown."

9. Residence of father.

10. Color or race of father.

11. Age of father at last birthday, in years.

12. Birthplace of father; at least State or foreign country, if known.

13. Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of trade, profession, or particular kind of work; general nature of industry, business, or establishment in which engaged or employed.

14. Maiden name of mother.

15. Residence of mother.

16. Color or race of mother.

17. Age of mother at last birthday, in years.

18. Birthplace of mother; at least State or foreign country, if known.

19. Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of trade, profession, or particular kind of work; general nature of industry, business, or establishment in which engaged or employed.

20. Number of children born to this mother, including present birth.

21. Number of children of this mother living.

22. The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there was no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the local registrar of such birth.

23. Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

SEC. 384. *Registration of name of child subsequent to filing of birth certificate.*—When any certificate of birth of a living child is presented without the statement of the given name, the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

SEC. 385. *Registration of physicians, midwives, and undertakers.*—Every physician, midwife, and undertaker shall, on or before the day on which this article takes effect, register his or her name, address, and occupation with the registrar of the district in which he or she resides, and shall so register in any district in which he or she may hereafter establish a residence; and shall thereupon be supplied by the registrar with a copy of this article, together with such rules and regulations as may be prepared by the public health council relative to its enforcement. Within 30 days after the close of each calendar year each registrar shall make a return to the State commissioner of health of all physicians, midwives, or undertakers who have been registered in his district during the whole or any part of the preceding calendar year; provided, that no fee or other compensation shall be charged by registrars to physicians, midwives, or undertakers for registering their names under this section or making returns thereof to the State commissioner of health.

SEC. 386. *Registration of persons in institutions.*—All superintendents or managers or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases or confinement, or to which persons are committed by process of law, shall make a record of all the personal and statistical particulars relative to the inmates in their institutions when this act takes effect; which are required in the forms of certificate provided for by this article as directed by the State commissioner of health; and thereafter such record shall be by them made for all future inmates at the time of their admittance. In the case of persons admitted or committed for treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself if it is practicable to do so; and when they can not be so obtained, they shall be obtained in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

SEC. 387. *Records to be kept by State commissioner of health.*—The State commissioner of health shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this article, and shall prepare and issue such detailed instructions, not inconsistent with the regulation established by the public health council, as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State commissioner of health. He shall carefully examine the certificates received monthly from the registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. All physicians, midwives, undertakers, or informants, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State commissioner of health or upon the original certificate, such information as they may possess regarding any birth or death upon demand of the State commissioner of health, in person, by mail, or through the registrar; provided, that no certificate of birth or death, after its acceptance for registration by the registrar, and no other record made in pursuance of this article, shall be altered or changed in any respect otherwise than by amendments properly dated, signed, and witnessed. The State commissioner of health shall arrange and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and

deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers or mothers if born out of wedlock. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the public health council, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread.

SEC. 388. *Certified copies of birth certificates evidence of age.*—Certified copies of birth certificates or of statements based on duly registered certificates of birth shall be accepted by public-school authorities in this State as prima facie evidence of age of children registering for school attendance, and by the legally constituted authorities as prima facie proof of age for the issuance of employment certificates, provided that when it is not possible to secure such certified copy of birth registration certificate for any child, the school authorities may accept as secondary proof of age any of the kinds of evidence specified in the labor law.

SEC. 389. *District records to be kept by registrar.*—Each registrar shall supply blank forms of certificates to such persons as require them. Each registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State commissioner of health; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker; provided, that in case the death occurred from some disease which is held by the public health council to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except to an undertaker licensed under section 295 of the public health law, under such conditions as may be prescribed by the State public health council. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with the number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied by the State commissioner of health, to be preserved permanently in his office as the local record, in such manner as directed by the commissioner of health. He shall, on the 5th day of each month, transmit to the State commissioner of health all original certificates registered by him for the preceding month. If no births or no deaths occurred in any month, he shall on the 5th day of the following month report that fact to the State commissioner of health on a card provided for such purpose.

SEC. 390. *Fees of registrar.*—Except as hereinbefore otherwise provided, each registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him and correctly recorded and promptly returned by him to the State commissioner of health, as required by this act. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly as required by this act. All amounts payable to the local registrar under the provisions of this article shall be paid by the municipality comprising the registration district, upon certification by the State commissioner of health. The State commissioner of health shall annually

certify to the municipality the number of births and deaths properly registered, with the name of the local registrar and the amount due him at the rate fixed herein.

SEC. 391. *Certified copies of records: State commissioner of health to furnish.*—The State commissioner of health may, upon request, supply to any applicant a certified copy of the record of any birth or death registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of \$1, to be paid by the applicant: *Provided*, That the United States Census Bureau may obtain, without expense to the State, transcripts of certified copies of births and deaths without payment of the fee here prescribed, for use solely as statistical data. Any copy of the record of a birth or death, when properly certified by the State commissioner of health, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State commissioner of health shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant.

If any time within 10 years of the birth, or 1 year of the death of any person within this State, a certified copy of the official record of said birth or death, with the information required to be registered by this act, be necessary for legal, judicial, or other proper purposes, and, after search by the State commissioner of health, it should appear that no such certificate of birth or death was made and filed, as provided by this act, then the person asking for such certified copy may file a sworn statement, to be accompanied by the affidavits of two competent witnesses, as to the fact of birth or death, with as many particulars of the standard certificate supplied as possible, and the State commissioner of health shall file it and issue a certified copy thereof to said applicant without fee and without charge for time of search; and the State commissioner of health shall immediately require the physician or midwife, who, being in attendance upon a birth since the date of the taking effect of this act, failed or neglected to file a certificate thereof or the undertaker or other person who, having charge of the interment or removal of the body of a deceased person since the date of the taking effect of this act, failed or neglected to file the certificate of death, if he or she be living, to obtain and file at once with the local registrar such certificate in as complete form as the lapse of time will permit, together with a fee of \$5, which shall be transmitted to the State commissioner of health and accounted for as a fee for certified copies. With said certificate shall be filed the sworn statements and affidavits hereinabove mentioned. The delinquent physician, midwife, undertaker, or other person may also, in the discretion of the State commissioner of health, be prosecuted as required by this article, and shall be prosecuted without bar from the statute of limitations, if he or she shall neglect or fail to file promptly the certificate required by this section as a substitute for the certificate not filed as required by this article, and to pay the filing fee provided for in this section. The State commissioner of health shall keep a true and correct account of all fees by him received under this section, and turn the same over to the State treasurer.

SEC. 392. *Penalties.*—Any person who, for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the primary registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred, or in which the body was found; or shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by this article; or shall willfully alter, otherwise than is provided by this article, or shall falsify any certificate of birth or death, or any record established by this article; or being required by this article to fill out a certificate of birth or death and file the same with the local registrar, or deliver it, upon request, to any person charged with the duty of filing the same, shall fail, neglect, or refuse to perform such

duty in the manner required by this article; or being a registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty, as required by this article and by the instructions and direction of the State commissioner of health thereunder, shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be fined not less than \$5 nor more than \$50 and for each subsequent offense not less than \$10 or more than \$100 or be imprisoned in the county jail not more than 60 days, or be both fined and imprisoned in the discretion of the court.

SEC. 393. *Enforcement.*—Each registrar is hereby charged with the strict and thorough enforcement of the provisions of this article, in his registration district, under the supervision and direction of the State commissioner of health. He shall make an immediate report to the State commissioner of health of any violation of any provision of this article coming to his knowledge, by observation or upon complaint of any person, or otherwise.

The State commissioner of health is hereby charged with the thorough and efficient execution of the provisions of this article in every part of the State, and is hereby granted supervisory power over registrars, deputy registrars, and subregistrars, to the end that all of its requirements shall be uniformly complied with. The State commissioner of health, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary he shall report cases of violation of any of the provisions of this article to the district attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to him by the State commissioner of health the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. Upon request of the State commissioner of health the attorney general shall assist in the enforcement of the provisions of this article.

SEC. 394. *Exemptions.*—Nothing in this article shall be construed to affect, alter, or repeal laws now in force applying to the city of New York.

SEC. 3. Section 5 of such chapter as amended by chapter 557, laws of 1909, and section 22 of such chapter as amended by chapter 407, laws of 1909, chapter 639 of the laws of 1910, and chapter 279 of laws of 1911, and section 23 of such chapter as amended by chapter 407, laws of 1909, are hereby repealed.

SEC. 4. This act shall take effect on the 1st day of January, 1914.

Premises, Care of—Suppression of Breeding Places of Mosquitoes—Nuisances. (Chap. 559, Act May 17, 1913.)

"SEC. 27. *Owner to bear all or part of expense of removal of waters wherein mosquito larvæ breed.*—Whenever the local board of health of a municipality shall determine that any accumulation of water wherein mosquito larvæ breed constitutes a nuisance or a danger or injury to life or health, the owner or owners of the premises on which the breeding place is located shall bear the expense of its suppression or removal, or so much thereof as the local board may have determined to be equitable as hereinafter provided; and for the amount thereof an action may be maintained in the name of the municipality, and the same shall become a first lien on the premises as provided by sections 31 and 32 of this article."

"SEC. 31. *Removal of nuisances.*—If the owner or occupant of any premises whereon any nuisance or condition deemed to be detrimental to the public health exists, or the cause of the existence elsewhere, fails to comply with any order or regulation of any such local board for the suppression and removal of any such nuisance or other matter, in the judgment of the board detrimental to the public health, made, served, or posted as required in this article, such board or their servants or employees may

enter upon the premises to which such order or regulation relates, and suppress or remove such nuisance or other matter. The expense of such suppression or removal shall be paid by the owner or occupant of such premises, or by the person who caused or maintained such nuisance or other matters, and the board may maintain an action in the name of the municipality to recover such expense, and the same when recovered shall be paid to the treasurer of the municipality, or if it has no treasurer to its chief fiscal officer, to be held and used as the funds of the municipality. Whenever the suppression or removal of such nuisance or conditions detrimental to health demand the immediate expenditure of money, every such local board of health shall be authorized to use for such purpose any money in the hands of the board, or may call on the city council for such money, or it may borrow the same on the credit of the municipality. All such moneys so expended or borrowed shall be immediately repaid to the fund or source whence they were received on the recovery of the same by action or otherwise from the persons responsible for the expenses of suppression or removal."

NORTH CAROLINA.

Health Authorities—Control of Communicable Diseases—Water Supplies. (Chap. 181, Act Mar. 12, 1913.)

(Chapter 62, Public Laws of 1911, was amended to read as follows:)

SECTION 1. *State board of health, how elected.*—The medical society of the State of North Carolina shall choose from its members by ballot four members and the governor of the State shall appoint five other persons (one of whom shall be sanitary engineer), and they shall constitute the North Carolina Board of Health.

SEC. 2. *Term of office; vacancies, how filled.*—The members of the board of health elected by the State medical society shall be chosen to serve for six years. Their term of office shall begin immediately upon the expiration of the meeting at which they were elected. Those appointed by the governor shall serve for six years, their term of office beginning with the first regular meeting of the board after their appointment. In case of death or resignation, the board shall elect new members to fill the unexpired terms: *Provided*, The governor shall fill such vacancies as may occur where he has made appointments.

SEC. 3. *Duties of the State board of health.*—The board of health shall take cognizance of the health interests of the people of the State; shall make sanitary investigations and inquiries in respect to the people, employing experts when necessary; shall investigate the causes of diseases dangerous to the public health, especially epidemics, the sources of mortality, the effect of locations, employments, and conditions upon the public health. They shall gather such information upon all these matters for distribution among the people, with the especial purpose of informing them about preventable diseases. They shall be the medical advisers of the State, and are herein specially provided, and shall advise the Government in regard to the location, sanitary construction, and management of all State institutions, and shall direct the attention of the State to such sanitary matters as in their judgment affect the industries, prosperity, health, and lives of the people of the State. They shall make an inspection once in each year, and at such other times as they may be requested to do so by the State board of charities, of all public institutions, including all convict camps under the control of the State's prison, and make a report as to their sanitary condition, with suggestions and recommendations, to their respective boards of directors or trustees; and it shall be the duty of the officials in immediate charge of said institutions to furnish all facilities necessary for a thorough inspection. The secretary of the board shall make biennially to the general assembly, through the governor, a report of their work.

SEC. 4. *May make regulations in times of epidemics.*—In times of epidemics of small-pox, yellow fever, typhoid fever, scarlet fever, diphtheria, typhus fever, bubonic plague, and cholera the State board of health shall have sanitary jurisdiction in all cities and towns not having regularly organized local boards of health, and are hereby empowered to make all such regulations as they may deem necessary to protect the public health, and to enforce them by suitable penalties.

SEC. 5. *Bulletins of diseases issued; rules made to check disease; pay of members for.*—Bulletins of the outbreak of disease dangerous to the public health shall be issued by the State board, whenever necessary, and such advice freely disseminated to prevent and check the invasion of disease into any part of the State. It shall also be the duty of the board to inquire into any outbreak of disease, by personal visits or

by any method the board shall direct. The compensation of members on such duty shall be \$4 a day and all necessary traveling and hotel expenses.

SEC. 6. *Officers of; salary of secretary; pay of members.*—The State board of health shall have a president, a secretary who shall also be treasurer, and an executive committee, said executive committee to have such powers and duties as may be assigned it by the board of health. The president shall be elected from the members of the board and shall serve six years; the secretary-treasurer shall be elected from the registered physicians of the State and shall serve six years. The executive committee shall be composed of the president of the board, ex officio, and two other members of the board to be elected from those composing it. The executive office of the board shall be in the city of Raleigh, and the secretary shall reside there. The secretary shall be the executive officer of the board and shall, under its direction, devote his entire time to public-health work, and shall be known as the "State health officer." He shall receive for his services such yearly compensation as shall be fixed by the board, not to exceed \$3,000, and his actual traveling and hotel expenses when engaged in the work of the board. The board may in its discretion elect as a special assistant to the State health officer, for the antituberculosis work, the secretary of the State Association for the Prevention of Tuberculosis, at an annual salary not to exceed \$600. The members of the board shall receive no pay, except that each member shall receive \$4 and necessary traveling and hotel expenses when on actual duty in attending the meetings of the board or of the executive committee or in pursuing special investigations in the State; but when attending important meetings beyond the limits of the State, the number of delegates thereto being limited to one, in addition to the secretary, only actual traveling and hotel expenses shall be allowed. These sums shall be paid by the treasurer on authenticated requisition, approved and signed by the president.

SEC. 7. *Time of meeting to elect officers.*—The meetings of the State board of health for the election of officers shall be on the second day of the annual meeting of the Medical Society of the State of North Carolina in the year 1901 and every six years thereafter.

SEC. 8. *Time of special and regular meetings.*—Special meetings of the State board of health may be called by the president through the secretary. The regular annual meeting shall be held at the same time and place as the State medical society, at which time the secretary shall submit his annual report. The executive committee shall meet at such times as the president of the board may deem necessary, and he shall call such meetings through the secretary.

SEC. 9. *County board of health, who constitutes; election of county physician or county health officer.*—The chairman of the board of county commissioners, the mayor of the county town, and in county towns where there is no mayor the clerk of the superior court, and the county superintendent of schools shall meet together on the first Monday in April, 1911, and thereafter on the first Monday of January in the odd years of the calendar, and elect from the regularly registered physicians of the county, two physicians, who, with themselves, shall constitute the county board of health. The chairman of the board of county commissioners shall be the chairman of the county board of health, and the presence of three members at any regular or called meeting shall constitute a quorum. The term of office of members of the county board of health shall terminate on the first Monday in January in the odd years of the calendar, and while on duty they shall receive \$4 per diem, to be paid by the county. The county board of health shall have the immediate care and responsibility of the health interests of their county. They shall meet annually in the county town, and three members of the board are authorized to call a meeting of the board whenever in their opinion the public health interest of the county requires it. They shall make such rules and regulations, pay such fees and salary, and impose such penalties as in their judgment may be necessary to protect and advance the public health: *Provided, That all expendi-*

tures shall be approved by the board of county commissioners before being paid. The board of health shall meet on the first Monday of July, 1913, and thereafter on the second Monday of January in the odd years of the calendar, and elect either a county physician or a county health officer, who shall serve thereafter until the second Monday in January of the odd years of the calendar: *Provided*, That if the county board of health of any county shall fail to elect a county physician or county health officer within two calendar months of the time set in this section, the secretary of the State board of health shall appoint a registered physician of good standing in the said county to the office of county physician, who shall serve the remainder of the two years, and shall fix his compensation, to be paid by the said county, in proportion to the compensation paid by other counties for like service, having in view the amount of tax collected by said county.

SEC. 10. *Rules of county board of health.*—If any person shall violate the rules and regulations made by the county board of health he shall be guilty of a misdemeanor, and fined not exceeding \$50 or imprisoned not exceeding 30 days.

SEC. 11. *Duties of county physicians and health officers; penalty for nonperformance.*—The duties of the county physician shall be to make the medico-legal post-mortem examinations for the coroner's inquests; to make examination of lunatics for commitment; to render professional service to the sick inmates of the convict camp, jail, and county home, upon request of the superintendent or the keeper of these institutions, and to determine the nature of any particular disease, upon the request of the quarantine or deputy quarantine officer: *Provided*, That the county physician shall have the right to employ any other regularly registered physician of his county to perform any or all of the duties pertaining to the jail, county home, or convict camp, when in his judgment it is desirable to do so: *Provided, however*, That the terms under which such physician is employed by the county physician shall be approved by the board of county commissioners. The duties of the county health officer shall be to devote his entire time to the county public health work, and he shall perform the duties of the county physician, the duties of quarantine officer, and the following additional duties: He shall make a sanitary examination during the summer months of every public school building and grounds in the county, and no school committee or teacher shall make use of any school building or grounds until the county superintendent of health shall certify in writing that said building and grounds have been inspected and found to be in a satisfactory sanitary condition within four months of the date of the certificate. He shall examine every school child that has previously been examined by the teacher according to methods furnished said teacher by the county superintendent of schools and reported to said county superintendent of schools as probably defective in the condition of its eyes, ears, nose, or throat, and he shall further endeavor to have examined the feces of every child whom he suspects of having hookworm disease. He shall notify on blank forms and in accordance with instructions furnished by the State department of public instruction, every parent or guardian of a child having any defect of the aforesaid organs, or hookworm disease, and he shall suggest to said parent or guardian the proper course of treatment and urge that such treatment be procured. He shall cooperate fully with the county board of education, the county superintendent of schools, and the teachers in the public schools, to the end that children may be better informed in regard to the importance of health and the method of preventing disease. He shall, through the county press, public addresses, and in every available way endeavor to educate the people of his county to set a higher value on health and to adopt such public and private measures as will tend to a greater conservation of life. Any violation of this section shall constitute a misdemeanor, and shall subject the defendant to a fine of not less than \$10 nor more than \$50.

SEC. 12. *Abatement of nuisances.*—Whenever and wherever a nuisance shall exist which in the opinion of the county physician or county health officer is dangerous to the public health, it shall be his duty to notify in writing the parties responsible

for its continuance, of the character of the nuisance, and the means of abating it. Upon this notification, the parties shall proceed to abate the nuisance: *Provided, however,* That if the party notified shall make oath or affirmation before a justice of the peace of his or her inability to carry out the directions of the county physician or county health officer, it shall be done at the expense of the town, city, or county in which the offender lives. In the latter case the limit of the expense chargeable to the city, town, or county shall not be more than \$1,000 in any case: *Provided, further,* That nothing in this section shall be construed to give the county physician or county health officer the power to destroy or injure property without a due process of law as now exists for the abatement of nuisances.

SEC. 13. *Nuisance; failure to abate.*—If any person, firm, corporation, or municipality responsible for the existence and continuance of a nuisance, after being duly notified in writing by the county physician or county health officer to abate said nuisance, shall fail to abate the same for 24 hours after such notice prescribed, he shall be guilty of a misdemeanor, and shall be fined \$2 a day as long as said nuisance remains.

SEC. 14. *Election of municipal physician or health officer; provision for municipal health.*—The authorities of any city or town, not already authorized in its charter, are hereby authorized to elect a municipal physician or municipal health officer when, in their judgment, municipal health would be improved thereby, and to make such regulations, pay such fees and salaries, and impose such penalties as in their judgment may be necessary for the protection and the advancement of the public health.

SEC. 15. *Duties of the municipal physician or health officer; penalty for nonperformance.*—The duties of the municipal physician, within the jurisdiction of the town or city for which he is elected, shall be identical with those of the county physician for the county, with the exception of the duties of the county physician pertaining to the jail, convict camp, and county home. The authorities of any city or town shall have the power to assign the duties of quarantine officer to the municipal physician or health officer, and in such cases the municipal health officer shall faithfully perform the duties of the quarantine officer as prescribed in sections 20 and 21 of this act, and shall be subject to the penalties of the aforesaid sections for refusal or non-performance of duty. If the physician is employed to devote his entire time to the public health interests of his town or city, he shall be known as the municipal health officer, and he shall discharge all the duties pertaining to the public schools of his town or city which are assigned in section 12 to the county health officer, and such other duties as may be assigned him by the municipal board of health. Anyone violating any of the provisions of this section shall be guilty of a misdemeanor, and subject to a fine of not less than \$10 nor more than \$50.

SEC. 16. *Quarantine; quarantine officers.*—All laws, with the exception of section 20 of this chapter, pertaining to the reporting, recording, and quarantining of diseases, and all laws pertaining to disinfection, shall be faithfully enforced by the quarantine officer. The county physician, county health officer, municipal physician or municipal health officer shall be eligible to this office. The county board of health, on the first Monday of July, 1913, and thereafter on the second Monday of January in the odd years of the calendar, shall elect a quarantine officer for their county, and arrange with such officer to accept and discharge the duties assigned in this chapter to such official, and any other duties relating to the control of infectious diseases which may be assigned him by the county board of health. The quarantine officer shall serve until the second Monday in January of the odd years of the calendar.

SEC. 17. *Rules and regulations for quarantine and disinfection; penalty.*—Inland quarantine and disinfection shall be under the control of the quarantine officer, who shall faithfully enforce the rules and regulations governing quarantine and disinfection as prescribed by the local, county, or municipal board of health: *Provided,* That nothing

in this section shall interfere with the execution of section 20 of this chapter: *Provided*, That the quarantine of ports shall not be interfered with, but the officers of the local and State board shall render all aid in their power to quarantine officers in the discharge of their duties, upon the request of the latter: *Provided further*, That any child or other person may remain in custody and care of parents or family. The failure on the part of the quarantine officer to perform the duties imposed in this section shall be a misdemeanor, and he shall be punished for each offense by a fine of not less than \$10 nor more than \$50.

SEC. 18. *Penalty for refusal or neglect to carry out quarantine.*—If any person shall neglect or refuse to comply with the rules and regulations governing quarantine and disinfection, as prescribed by the local, county, or municipal board of health, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$5 nor more than \$50, or imprisoned not less than 10 days nor more than 30 days, at the discretion of the court. In case the offender be stricken with the disease for which he is quarantinable, he shall be subject to the penalty on recovery, unless in the opinion of the secretary of the State board of health it should be omitted.

SEC. 19. *The control of smallpox.*—On the appearance of a case of smallpox in any neighborhood, town, or city, the quarantine officer shall use all due diligence to warn the public of its existence and to notify the public of the proper means for preventing its spread; the said warning and notification to be according to the instructions of the State health officer. The board of health of any town, city, or county shall have authority to require children attending the public schools to present certificate of immunity from smallpox, either through recent vaccination or previous attack of the disease. If any parent, guardian, school committee, principal, or teacher shall permit a child to violate such a requirement of the aforesaid authorities, he or she shall be guilty of a misdemeanor, and fined not less than \$10 or more than \$50.

SEC. 20. *Control of yellow fever, plague, cholera, and typhus fever.*—Any householder who knows that a person within his family or house, and any physician who suspects that a person whom he is called to treat is sick with yellow fever, bubonic plague, Asiatic cholera, or typhus fever, shall immediately give notice thereof to the quarantine officer, and the quarantine officer in turn shall immediately notify, by telegram, the secretary of the State board of health thereof. The secretary of the State board of health shall personally assume control of the quarantine of the aforesaid diseases and shall promulgate such rules and regulations governing their control as he deems wise. Any one violating this section, or the rules and regulations made by the secretary of the State board of health, as directed by this section, shall be, upon conviction, guilty of a misdemeanor, and fined not less than \$50 nor more than \$200, or imprisoned not less than 10 nor more than 60 days.

SEC. 21. *Precaution against contamination.*—In the interest of the public health, every person, company, or municipal corporation or agency thereof selling water to the public for drinking and household purposes shall take every reasonable precaution to protect from contamination and assure the healthfulness of such water, and any provisions in any charters heretofore granted to such persons, companies, or municipal corporations in conflict with the provisions of this section are hereby repealed. The State board of health shall have the general oversight and care of all inland waters, and shall have from time to time, as it may deem advisable, cause examinations of said waters and their sources and surroundings to be made for the purpose of ascertaining whether the same are adapted for use as water supplies for drinking and other domestic purposes, or are in a condition likely to impair the interests of the public or of persons lawfully using the same, or to imperil the public health. For the purpose aforesaid, it may employ such expert assistants as may be necessary. The said board shall make such reasonable rules and regulations as in its judgment may be necessary to prevent contamination and to secure other purifications as may be required to safeguard the public health. Any individual, firm, corporation, or municipality, or the person or

persons responsible for management of the water supply, failing to comply with said rules and regulations, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, at the discretion of the court.

The State board of health shall from time to time consult with and advise the boards of all State institutions, the authorities of cities and towns, corporations or firms already having or intending to introduce systems of water supply, drainage or sewerage, as to the most appropriate source of supply, the best practical method of assuring the purity thereof; or of disposing of their drainage or sewage, having regard to the present and prospective needs and interests of other cities, towns, corporations, or firms which may be affected thereby. All such boards of directors, authorities, corporations, and firms are hereby required to give notice to said board of their intentions in the premises and to submit for its advice outlines of their proposed plans or schemes in relation to water supplies and disposal of sewage, and no contract shall be entered into by any State institution or town for the introduction of a system of water supply or sewage disposal until said advice shall have been received, considered, and approved by the said board. That for the purpose of carrying out the general provisions of this section, every municipal or private corporation, company, or individual supplying or authorized to supply water for drinking or other domestic purposes to the public shall file with the secretary of the State board of health, within 90 days after the receipt of notice from said secretary, certified plans and surveys, in duplicate, pertaining to the source from which the water is derived, the possible source of infections thereof, and the means in use for the purification thereof, in accordance with the directions to be furnished by the said secretary. Failure on the part of any individual, firm, corporation, or municipality to comply with this section shall be a misdemeanor, and upon conviction those responsible therefor shall be fined not less than \$50 nor more than \$100, at the discretion of the court.

SEC. 22. *Condemnation of lands.*—All municipalities operating water systems and sewer systems, and all water companies operating under charter from the State or license from municipalities, which may maintain public water supplies, may acquire by condemnation such lands and rights in lands and water as are necessary for the successful operation and protection of their plants, said proceedings to be the same as prescribed by law for acquiring right of way by railroad companies.

SEC. 23. *May enter upon lands to lay pipes, etc.*—For the purpose of providing water supplies, the directors or other lawful managers of any public institution of the State may enter upon the lands through which they desire to conduct their pipes for said purpose, and lay them underground, and they at all times shall have the right to enter upon said lands for the purpose of keeping the water line in repair and do all things to that end.

SEC. 24. *Compensation for land.*—If damages shall be claimed for the use of such lands, and the parties can not agree as to the amount of compensation to be paid, they may proceed in the manner now provided by law for railroad companies to procure right of way.

SEC. 25. *Inspections of watersheds.*—Any waterworks that derive their water from a surface supply shall have a quarterly sanitary inspection of the entire watershed, except in those cases where the supply is taken from large creeks or rivers that have a minimum daily flow of 10,000,000 gallons, in which case the inspection shall apply to the 15 miles of watershed above the waterworks intake. Such water companies shall cause to be made a sanitary inspection of any particular locality on said watershed at least once in every week, whenever in the opinion of the board of health of the city or town to which the water is supplied, or, when there is no such local board of health, in the opinion of the county superintendent of health or in the opinion of the State board of health, there is special reason to apprehend the infection of the water from that particular locality by the germs of typhoid fever or cholera. The inspection of the entire watershed as herein provided for shall include a particular examination

of the premises of every inhabited house on the watershed, and, in passing from house to house, a general inspection for dead bodies of animals or accumulation of filth. It is not intended that the term "entire watershed" shall include uninhabited fields and wooded tracts that are free from suspicion. The inspection shall be made by an employee of and at the expense of said water company in accordance with reasonable instructions as to methods, scope, and details, to be furnished by the secretary of the State board of health. The said sanitary inspector shall give in person to the head of each household on said watershed or, in his absence, to some member of said household, the necessary directions for the proper sanitary care of his premises. It shall further be the duty of said inspector to deliver to each family residing on the watershed such literature on pertinent sanitary subjects as may be supplied him by the municipal health officer or by the secretary of the State board of health. Full report in duplicate of all such inspections shall be made promptly to the secretary of the State board of health and their accuracy certified to by the affidavit of the inspector, or such officer or person as the said secretary may direct.

SEC. 26. *Inspections of watersheds; penalty for failure.*—Failure on the part of those having in charge the management of public water supplies to comply with the law requiring sanitary inspections of watersheds shall be a misdemeanor and punished by a fine of not less than \$25 nor more than \$100, or by imprisonment for not less than 10 nor more than 30 days: *Provided*, The said official does not prove to the satisfaction of the court that, in spite of reasonable effort and diligence on his part, he was prevented, directly or indirectly, by his superiors from doing his duty in this respect; in which case the said superior officer shall be deemed guilty of a misdemeanor and punished by a fine of not less than \$50 nor more than \$200, or by imprisonment for not less than one nor more than six months.

SEC. 27. *Inspectors may enter upon premises.*—Each sanitary inspector herein provided for is authorized and empowered to enter upon any premises and into any building upon his respective watershed for the purpose of making the inspections required.

SEC. 28. *Residents on watersheds to obey instructions.*—Every person residing or owning property on the watershed of a lake, pond, or stream from which a drinking supply is obtained shall carry out such reasonable instructions as may be furnished him in the matter hereinbefore set forth directly by the municipal health officer or by the State board of health. Anyone refusing or neglecting to comply with the requirements of this section shall be guilty of a misdemeanor and fined not less than \$10 nor more than \$50, or imprisoned for not less than 10 nor more than 30 days.

SEC. 29. *Damage to water supply.*—If any person shall defile, corrupt, or make impure any well, spring, drain, branch, brook, creek, or other source of public water supply by collecting and depositing human excreta on the watershed, or depositing or allowing to remain the body of a dead animal on the watershed, or in any other manner, and if any person shall destroy or injure any pipe, conductor of water, or other property pertaining to an aqueduct, or shall aid and abet therein, he shall be guilty of a misdemeanor.

SEC. 30. *Sewage not discharged in.*—No person, firm, corporation, or municipality shall flow or discharge sewage above the intake into any drain, brook, creek, or river from which a public drinking-water supply is taken, unless the same shall have been passed through some well-known system of sewage purification approved by the State board of health; and the continued flow and discharge of such sewage may be enjoined upon application of any person.

SEC. 31. *Discharging sewage into certain streams.*—If any person, firm, or corporation, or other officer of any municipality having a sewerage system in charge shall violate the provision of the law relating to discharging sewage into streams from which public water is taken, he shall be deemed guilty of a misdemeanor.

SEC. 32. *Towns, etc., not having sewerage systems.*—All schools, hamlets, villages, towns, or industrial settlements which are now located or may be hereafter located on

the shed of any public water supply, not provided with a sewerage system, shall provide and maintain a reasonable system approved by the State board of health for collecting and disposing of all accumulations of human excrement within their respective jurisdiction or control. Anyone refusing or neglecting to comply with the requirements of this section shall be guilty of a misdemeanor and fined not less than \$10 nor more than \$50, or imprisoned for not less than 10 nor more than 30 days.

SEC. 33. *State laboratory of hygiene; analyses of water, sputum, blood, etc., appropriation for; tax against water companies.*—For the better protection of the public and to prevent the spread of communicable diseases, there shall be established a State laboratory of hygiene, the same to be under the control and management of the State board of health, and it shall be the duty of the State board of health to have made in such laboratory monthly examinations of samples from all public water supplies of the State, of all waters sold in bottle or other package and of all spring waters that are maintained and treated as an adjunct to any hotel, park, or resort for the accommodation or entertainment of the public: *Provided*, That in the case of springs in connection with hotels, parks, or resorts intermittently operated, examinations of the water shall be made monthly during the period only that they are open for the accommodation and entertainment of the public; but if upon the examination of the water of any such spring it shall be found to be infected or contaminated with intestinal bacilli or other impurities dangerous to health, examinations shall be made weekly until its purity and safety are shown. The board shall also cause to be made examinations of well and spring waters when in the opinion of any county superintendent of health or any registered physician there is reason to suspect such waters of being contaminated and dangerous to health. The board shall likewise have made in this laboratory examinations of sputum in cases of suspected tuberculosis, or throat exudates in cases of suspected diphtheria, of blood in cases of suspected typhoid and malarial fever, of feces in cases of suspected hookworm disease, and such other examinations as the public health may require. For the support of the said laboratory the sum of \$4,000 annually is hereby appropriated and an annual tax of \$64, payable quarterly, by each and every water company, municipal, corporate, and private, selling water to the people: *Provided*, That the said annual tax for waters from springs or wells sold in bottles or otherwise shall be as follows: For springs or wells the gross annual sales from which for the previous calendar year are less than \$2,000 and more than \$1,500, \$50; less than \$1,500 and more than \$1,000, \$40; less than \$1,000 and more than \$500, \$30; less than \$500 and more than \$250, \$20; and less than \$250, \$15; and for any spring maintained and treated as an adjunct to any hotel, park, or resort for the accommodation and entertainment of the public, \$15, and an additional tax for water sold in bottle or other package from said spring in accordance with the above schedule.

Every corporation, firm, or person selling water in the manner set forth in this proviso shall file with the treasurer of the State board of health, within 60 days after the passage of this act and annually thereafter in the month of January, an affidavit as to the gross amount received from sale of water for the previous calendar year, and upon this affidavit the tax for the current year shall be based. Failure to so file said affidavit within the time prescribed shall subject the said corporation, firm, or person so failing to file said affidavit to double the tax for the current year. Failure to transmit sample within five days after receipt of sterilized bottle or container from the laboratory of hygiene shall be a misdemeanor, and upon conviction shall subject the delinquent to a fine of \$25. Transportation charges, by mail, shall be paid by the sender; by express, by the laboratory. When deemed advisable, the said laboratory of hygiene shall analyze samples purchased by it in the open market, in lieu of those sent direct from the spring. The said tax shall be collected quarterly by the sheriff as other taxes, and shall be paid by the said sheriff directly to the treasurer of the State board of health. The printing and stationery necessary for the laboratory shall be furnished upon requisition upon the State printer. Any person, firm, or corporation not a citizen of the State of North Carolina who shall sell or offer for sale any water in bottle or other package for consump-

tion by the people of the State of North Carolina shall obtain a license from the treasurer of the State board of health, and shall pay for said license the sum of \$64 per annum, or less amount equal to the tax paid by springs of the same class within the State, upon compliance with the conditions applying to them, payable in advance: *Provided*, That satisfactory evidence of purity furnished by the State laboratory of other States agreeing to reciprocate in this matter with this State shall be accepted in lieu of the said license tax. If water sold by any person, firm, corporation, or municipality shall be discovered by three successive analyses made by the State laboratory of hygiene to be dangerous to the public health, publication of that fact shall be made in the monthly Bulletin of the State Board of Health. The result of said analyses shall be immediately forwarded by mail to the person, firm, corporation, or municipality selling the water so analyzed. When upon subsequent analyses the water shall be found no longer dangerous to health, a certificate thereof shall be furnished the person, firm, corporation, or municipality offering the said water for sale, and publication of the fact shall be made in the said monthly bulletin: *Provided*, That this act shall not apply to the therapeutic waters so medicated as to render them sterile, the question of their sterility to be decided by the director of the State laboratory of hygiene.

SEC. 34. *Duties of solicitor to prosecute infringements.*—That for every violation of sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 it shall be the duty of the solicitors of the several judicial districts, upon the complaint of the board of health, or any of its officers, or of any individual injured or likely to be injured, to institute criminal action against the person, firm, corporation, or municipality charged with such violation in their respective districts, and prosecute the same.

SEC. 35. *Annual appropriation.*—For carrying out the provisions of this act as to the duties of the board of health \$26,500, or so much thereof as may be necessary, is hereby annually appropriated, to be paid by the State auditor on requisition, to be signed by the secretary and president of the State board of health, the same to be apportioned as follows: Four thousand dollars to the State laboratory of hygiene, \$8,000 to the campaign against the hookworm disease, and \$14,500 to the executive officer of the State board of health, and the printing and stationery necessary for the board to be furnished upon requisition upon the State printer: *Provided*, That \$1,000 of this appropriation be used annually by the State board of health to arrange for a supply of diphtheria antitoxin, which shall be available to the citizens of the State at contract price. A yearly statement shall be made to the governor of all money received and expended in pursuance of this act.

SEC. 36. *Contingent fund.*—A contingent fund of \$5,000 is appropriated, subject to the auditor's warrant, upon the recommendation of the governor, to be expended in pursuance of the provisions of this act, when rendered necessary by the visitation of cholera or any other pestilential disease.

SEC. 37. That all laws and clauses of laws in conflict with this act are hereby repealed.

Vaccination. (Chap. 181, Act Mar. 12, 1913.)

(Section 4451, Revised Laws of 1905, was amended to read as follows:)

4451. *Vaccination.*—On the appearance of a case of smallpox in any neighborhood due warning of the existence of the disease shall be given, and all persons not able to pay shall be vaccinated free of charge by the county physician or health officer or by the municipal physician or health officer, and the county physician or health officer shall vaccinate every person admitted into a public institution, jail, or county home as soon as practicable, unless he is satisfied, upon examination, that the person is already successfully vaccinated; the money for vaccine to be furnished by county commissioners. The board of health of any city, town, or county may make such regulations and provisions for the vaccination of the inhabitants of their city, town, or county, and impose such penalties as they may deem necessary to protect public health.

Tuberculosis—Notification of Cases—Bureau of Tuberculosis—State Sanatorium—Educational Work. (Act Oct. 13, 1913.)

SECTION 1. That the board of directors managing and controlling the body politic and corporate existing under the name and style of "North Carolina Sanatorium for the Treatment of Tuberculosis" is hereby dissolved, and in lieu thereof the members of the State board of health shall be, and are hereby, declared to be ex officio the directors of said corporation as created and established under chapter 964, Public Laws of 1907.

SEC. 2. That the North Carolina Sanatorium for the Treatment of Tuberculosis is hereby empowered and authorized to elect and employ such officials and to pay such fees and salaries (provided the appropriation of this act is not exceeded) as the directors shall find necessary for the proper management and maintenance of the institution; that the directors shall determine the qualifications for admission of those applying as patients to the institution; that the directors shall make all such by-laws and regulations for the government of the said institution as shall be necessary, among which shall be such as shall make the institution as nearly self-supporting as shall be consistent with the purpose of its creation; and that the directors shall do such other things as seem reasonably necessary and incident to the proper management and maintenance of the institution.

SEC. 3. That the directors shall equip, operate, and maintain a bureau for tuberculosis, located in their offices in Raleigh, to which bureau the reports of cases of tuberculosis, as hereinafter provided, shall be made; and the bureau of tuberculosis shall keep a register of all persons in this State known to be afflicted with tuberculosis. The bureau shall have exclusive control of such register and shall not permit the inspection thereof nor disclose any of its personal particulars, except to representatives of municipal or county governments, the State government, or organizations, orders, churches, or corporations interested in and contemplating making financial provision in the institution for the care and treatment of afflicted citizens or members of their respective organizations, orders, churches, or corporations.

SEC. 4. That the bureau of tuberculosis shall develop and maintain a correspondence school with those of the State's tuberculous population, to the end that the tuberculous population of this State shall be properly advised and directed both as to methods for obtaining cures and as to methods for preventing the spread of the disease to other persons.

SEC. 5. That all physicians and the executive officers of every private or public hospital, institution for the treatment of disease, or dispensary shall report, on blank forms and in accordance with the instructions of the bureau of tuberculosis, the names and other particulars of all persons afflicted with tuberculosis whom they are called upon to examine or treat or who are to be examined or treated in the hospital, institution, or dispensary of which he or she is the executive head, within 7 days after the disease is recognized by such physician or executive officer. Any violation of this section shall be a misdemeanor and subject to a fine of not less than \$10 nor more than \$100, and the judge in addition to imposing the said fine may, upon the evidence produced in the trial or upon such further evidence as may be produced before him, find and cause to be entered upon the records of the court that the physician deliberately and falsely diagnosed the disease, tuberculosis, as some other disease in order to avoid the requirements of this section, and the North Carolina Board of Medical Examiners upon such record shall revoke the license of such physician: *Provided*, That nothing in this section shall abrogate the rights and powers of municipalities and counties to require the reporting of cases of tuberculosis by physicians to the local authorities: *Provided further*, That municipalities and counties may, when desired, in lieu of reports by physicians, call upon the bureau of tuberculosis for notification of cases of tuberculosis reported to the said bureau from such municipality or county.

SEC. 6. The directors shall be empowered to receive or accept the gifts or donations for the benefit of the State sanatorium, and the directors shall, in their discretion, use the same for carrying out the purpose for which the sanatorium is established.

SEC. 7. Each director shall be entitled to receive, as compensation, the sum of \$4 per day while engaged in conducting the affairs of the sanatorium in addition to his necessary traveling expenses.

SEC. 8. That all appropriations heretofore made to the North Carolina Sanatorium for the Treatment of Tuberculosis and not heretofore received by it is hereby transferred to the directors herein named for the purposes herein specified: *Provided*, the annual appropriation of \$7,500 for the support and maintenance of indigent patients, or such part thereof as the board of directors may deem proper, may be used to help to defray the expenses of the bureau of tuberculosis.

Sanitary Districts—Organization of. (Act Mar. 12, 1913.)

SECTION 1. Special tax sanitary districts may be formed by the county board of health in any county, without regard to township lines, under the following conditions: Upon a petition of a majority of the freeholders within the proposed special sanitary district, in whose names real estate in such district is listed in the tax lists of the current fiscal year, indorsed by the county board of health, the board of county commissioners, after thirty days' notice at the courthouse door and three public places in the proposed district, shall hold an election to ascertain the will of the people within the proposed special sanitary district, whether there shall be levied in such district a special annual tax of not more than the amount specified in the petition on the one hundred dollars valuation of property and on the poll to conduct the health work of the district as is hereinafter provided, in case such special tax is voted. The board of county commissioners shall appoint a registrar and two poll holders, and shall designate a polling place and order a new registration for such district, and the election shall be held in the district under the law governing general elections, as near as may be, and the registrar and poll holders shall canvass the vote cast and declare the result, and shall duly certify the returns to the board of county commissioners, and the same shall be recorded in the records of said board of commissioners. The expense of holding said election shall be paid out of the general funds of the county. At such election those who are in favor of the levy and collection of the tax shall vote a ticket on which shall be printed or written the words "For special tax," and those who are opposed shall vote a ticket on which shall be printed or written the words "Against special tax." In case a majority of the qualified voters at the election is in favor of the tax, the same shall be annually levied and collected in the manner prescribed for the levy and collection of other taxes.

All moneys levied under the provisions of this section shall, upon collection, be placed to the credit of the health committee or board in such district, which committee shall be appointed by the county board of health, and such health committee shall have the authority to carry on the health work in the district as hereinafter provided. Upon the written request of a majority of the health committee of any special-tax district, the county board of health may enlarge the boundaries of any special-tax district established under this section, so as to include any contiguous territory, and an election in such new territory may be ordered and held in the same manner as prescribed in this section for elections in special-tax districts; and in case a majority of the qualified voters in such new territory shall vote at such election in favor of a special tax of the same rate as that voted and levied in the special-tax district to which said territory is contiguous, then the new territory shall be added to and become a part of the said special-tax district; and in case a majority of the qualified voters shall vote against said tax, the district shall not be enlarged. Upon petition of two-thirds of the qualified voters residing in any special-tax district established under this section, indorsed and approved by the county board of health, the board of county commis-

sioners shall order another election in said district for submitting the question of revoking said tax and abolishing said district, to be held under the provisions prescribed in this section for holding other elections: *Provided*, That no election for revoking a special tax in any special-tax district shall be ordered and held in said district within less than two years from the date of the election at which the tax was voted and the district established, nor at any time within less than two years after the date of the last election on said question in said district; and no petition revoking such tax shall be approved by the county board of health oftener than once in two years, and if at such election the majority of the qualified voters in said district shall vote "Against special tax," said tax shall be deemed revoked and shall not be levied, and said district shall be discontinued: *Provided further*, That the provisions for ordering a new election to revoke a special tax in any special-tax district shall not apply to elections in such districts for increasing or restoring the special-tax levy in such district, which elections may be ordered and held at any time in accordance with the provisions of this section for establishing new special-tax districts.

SEC. 2. *Qualifications and elections of health committeemen.*—The county board of health of each county shall immediately after the formation of a special-tax sanitary district, and on the first Monday in July of the odd years of the calendar thereafter, appoint in each sanitary district three intelligent men of good business qualifications, who are known to be in favor of public education, who shall serve for two years from the date of their appointment as health or sanitary committeemen in their respective district and until their successors are elected and qualified. If a vacancy shall occur at any time, by death, resignation or otherwise, it shall be the duty of the county board of health to fill such vacancy. Such board shall have the power to pay out of the special-tax fund to each member of the committee thus appointed \$1 per day for not more than six days per annum.

SEC. 3. *To elect chairman and secretary.*—The sanitary committee, as soon as practicable after their election and qualification, not to exceed 20 days, shall meet and elect from their number a chairman and secretary, and shall keep a record of their proceedings in a book to be kept for that purpose. The name and address of the chairman and secretary shall be reported to the county health officer and to the State health officer.

SEC. 4. The special-tax sanitary committee shall have the immediate care and responsibility of the health interest of this district. They shall make such rules and regulations, pay such fees and salary, purchase supplies and impose such penalties as in their judgment may be necessary to protect and advance the public health: *Provided*, That no rules or regulations they may promulgate shall conflict with the rules and regulations of the boards of health of the State and county of which the district is a part. The committee shall have authority to employ a registered physician of the State as health officer, and if he should persistently neglect the performance of his full duties for a period of 90 days he may be dismissed by the committee and his successor employed to fill the unexpired term. If the committee is satisfied that the provisions of this act have been complied with they shall give an order approved by the chairman and secretary of the committee on the treasurer of the county payable to the health officer for the full monthly amounts due for services in accordance with the contract, but monthly statements of the work done by the health officer shall be made to the committee; and he shall supply reports promptly of such information as he can on blanks supplied by and returnable to the State board of health. Orders for all funds to the credit of the special-tax sanitary district before it shall be a valid voucher on the county treasurer must be first approved by the chairman and secretary of the committee for the sanitary district.

SEC. 5. The authority and duties of the special-tax sanitary committee shall be the same as those given by the Public Laws of the State to the county board of health in so far as they are applicable to the district.

SEC. 6. The duties and powers of the health officer elected for the special-tax sanitary district shall be the same as those prescribed by the Public Laws of the State for the county health officer, in so far as they are applicable to the sanitary district, and such additional duties as may be imposed on him by the special-tax sanitary committee.

Births and Deaths—Registration of. (Act Mar. 10, 1913.)

SECTION 1. That the State board of health shall have charge of the registration of births and deaths, shall prepare the necessary instructions, forms, and blanks for obtaining and preserving such records, and shall procure the faithful registration of the same in each local registration district as constituted in section 3 of this act and in the central bureau of vital statistics at the capital of the State. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and from time to time recommend to the general assembly any additional legislation that may be necessary for this purpose.

SEC. 2. That the secretary of the State board of health shall be State registrar of vital statistics, and shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said board. Adequate fireproof space in one of the State buildings for filing cases for the death and birth certificates made and returned under this act shall be provided by the committee on public buildings and grounds.

SEC. 3. That for the purposes of this act the State shall be divided into registration districts as follows: Each city, each incorporated town, and each township shall constitute a local registration district.

SEC. 4. That within 90 days after the taking effect of this act, or as soon thereafter as possible, the chairman of every board of county commissioners in the State of North Carolina shall appoint a local registrar of vital statistics for each township in his county, and the mayor of every incorporated town or city in the State of North Carolina shall appoint a local registrar of vital statistics for his town or city, and the chairmen of the boards of county commissioners and the mayors of the cities or towns shall notify the State registrar, in writing, of the name and address of each local registrar so appointed. The term of office of each local registrar so appointed shall be four years, beginning with the first day of January of the year in which the local registrar is appointed, and until his successor has been appointed and has qualified, unless such office shall sooner become vacant by death, disqualification, operation of law, or other cause: *Provided*, That in cities where health officers or other officials are, in the judgment of the State board of health, conducting effective registration of births and deaths under local ordinances at the time of the taking effect of this act, such officials may be appointed as registrars in and for such cities, and shall be subject to the rules and regulations of the State registrar, and to all the provisions of this act. Any vacancy occurring in the office of local registrar of vital statistics shall be filled for the unexpired term by a local registrar appointed by the same official who appointed the local registrar whose retirement creates the vacancy. Any chairman of a board of county commissioners or mayor of a city or town who appoints a local registrar to fill a vacancy in the office of local registrar shall notify the State registrar, in writing, of the name and address of the local registrar so appointed. At least 10 days before the expiration of the term of office of any such local registrar, his successor shall be appointed by the chairman of the board of county commissioners for the township local registration office, and by the mayor of the city or town for the town or city registration office.

Any local registrar who, in the judgment of the secretary of the State board of health, fails or neglects to discharge efficiently the duties of his office as laid down in this act, or who fails to make prompt and complete returns of all births and deaths, as required thereby, shall be forthwith removed from his office by the secretary of

the State board of health and such other penalties may be imposed as are provided under section 22 of this act.

Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy, whose duty it shall be to act in his stead in case of absence, illness, or disability, and such deputy shall in writing accept such appointment and be subject to all rules and regulations governing local registrars. And when it may appear necessary for the convenience of the people in any rural district, the local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each subregistrar shall note on each certificate, over his signature, the date of filing, and shall forward all certificates to the local registrar of the district within 10 days, and in all cases before the third day of the following month: *Provided*, That each subregistrar shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform his duties in accordance with the provisions of this act or the rules and regulations of the State registrar, and he shall be subject to the same penalties for neglect of duties as the local registrar.

SEC. 5. That the body of any person whose death occurs in this State, or which shall be found dead therein shall not be interred, deposited in a vault or tomb, cremated or otherwise disposed of, or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for a burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or the body was found. And no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That outside of incorporated towns and cities and within incorporated towns having a population of 500 or less, no burial permit shall be required, but the registrar or subregistrar shall within ten days after any and every burial of any human body within their district obtain the information herein required concerning deaths and report the same as herein required: *Provided further*, That when a dead body is transported into a registration district in North Carolina for burial, the transit and removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition as a basis upon which he may issue a local burial permit. He shall note upon the face of the burial permit the fact that it was a body shipped in for interment, and give the actual place of death; and no local registrar shall receive any fee for the issuance of burial or removal permits under this act other than the compensation provided in section 20.

SEC. 6. That a stillborn child shall be registered as a birth and also as a death, and separate certificates of both birth and death shall be filed with the local registrar in the usual form and manner, the certificate of birth to contain in place of the name of the child the word "stillbirth": *Provided*, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and if born prematurely the period of uterogestation in months if known, and a burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children, but such cases and stillbirths occurring without attendance of either physician or midwife shall be treated as deaths without medical attendance as provided for in section 8 of this act.

SEC. 7. That the certificate of death shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

(1) Place of death, including State, county, township, or town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "Unnamed."

(3) Sex.

(4) Color or race—as white, black, mulatto (or other negro descent), Indian, Chinese, Japanese, or other.

(5) Conjugal condition—as single, married, widowed, or divorced.

(6) Educational attainments—as illiterate, able to read and write, common school education or equivalent, high school education or equivalent, college education or equivalent. If the deceased is less than 15 years of age, the educational attainments of the mother, if living, or of the father, if living, or of the guardian, in the order named shall be given.

(7) Date of birth, including the year, month, and day.

(8) Age, in years, months, and days. If less than one day, the hours or minutes. If exact information is unobtainable, give approximate age.

(9) Occupation. The occupation to be reported of any person who had any remunerative employment, stating (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

(10) Birthplace; at least State or foreign country, if known.

(11) Name of father.

(12) Birthplace of father; at least State or foreign country, if known.

(13) Maiden name of mother.

(14) Birthplace of mother; at least State or foreign country, if known.

(15) Signature and address of informant.

(16) Official signature of registrar, with the date when certificate was filed and registered number.

(17) Date of death—year, month, and day.

(18) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory secondary cause or complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature, date of signature, and address of physician or official making the medical certificate.

(19) Length of residence (for inmates of hospitals and other institutions; transients or recent residents) at place of death and in the State, together with the place where disease was contracted, if not at place of death, and former or usual residence.

(20) Place of burial or removal; date of burial.

(21) Signature and address of undertaker or person acting as such.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such. The medical certificate shall be made and signed by the physician, if any, who last treated the deceased for the disease, or injury which caused death, and such physician shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred, and he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause) and the contributory (secondary) cause, if any, and the dura-

tion of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit; and any certificate containing any such indefinite or unsatisfactory terms, as defined by the State registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death, which may be the result of either disease or violence, shall be carefully defined; and, if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And in deaths in hospitals, institutions, or of nonresidents, the physician shall supply the information required under this head (item 18), if he is able to do so, and may state where, in his opinion, the disease was contracted.

SEC. 8. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker or person acting as such to notify the local registrar of such death, and when so notified the registrar shall, prior to the issuance of the permit, inform the local health officer and refer the case to him for immediate investigation and certification: *Provided*, That when the local health officer is not a qualified physician, or when the death takes place in a township registration district, or where there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts: *Provided, further*, That if the registrar has reason to believe that the death had been due to unlawful act or neglect, he shall then refer the case to the coroner or other proper officer for his investigation and certification. And any coroner or other proper officer whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, or if from external causes (1) the means of death; and (2) whether (probably) accidental, suicidal, or homicidal; and shall, in any case, furnish such information as may be required by the State registrar in order properly to classify the death.

SEC. 9. The undertaker or person acting as undertaker shall file the certificate of death with the local registrar of the district in which the death occurred, and obtain a burial or removal permit prior to any disposition of the body. The undertaker or person acting as such shall obtain the required personal and statistical particulars from the person best qualified to supply them, over the signature and address of his informant. The undertaker or person acting as such shall then present the certificate to the attending physician, if any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in sections 7 and 8. And the undertaker or person acting as such shall then state the facts required relative to the date and place of burial, over his signature and with his address, and present the completed certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker or person acting as such shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body, or shall attach the removal permit to the box containing the corpse when shipped by any transportation company, said permit to accompany the corpse to its destination, where, if within the State of North Carolina, it shall be delivered to the person in charge of the place of burial.

Every person, firm, or corporation selling a casket shall keep a record showing the name of the purchaser, purchaser's post-office address, name of deceased, date of death, and place of death of deceased, which record shall be open to inspection of the State registrar or his agent at all times. On the first day of each month the person, firm, or corporation selling caskets shall report to the State registrar each sale for the preceding month on a blank provided for that purpose: *Provided, however*, That no person, firm, or corporation selling caskets to dealers or undertakers only shall be

required to keep such record, nor shall such report be required from undertakers when they have direct charge of the disposition of a dead body.

Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket a notice furnished by the State registrar, calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the State board of health concerning the burial or other disposition of a dead body.

Sec. 10. That if the interment or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State registrar.

Sec. 11. That no person in charge of any premises in which interments are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, removal, or transit permit, as herein provided. And such person shall indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of interment. He shall also keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker, which record shall at all times be open to official inspection: *Provided*, That the undertaker, or person acting as such, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal permit, giving the date of burial, and shall write across the face of the permit the words "No person in charge," and file the burial or removal permit within 10 days with the registrar of the district in which the cemetery is located.

Sec. 12. That the birth of each and every child born in this State shall be registered as hereinafter provided.

Sec. 13. That within 10 days after the date of each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State board of health, with a view of procuring a full and accurate report with respect to each item of information enumerated in section 14 of this act. In each case where a physician, midwife, or person acting as midwife was in attendance upon the birth, it shall be the duty of such physician, midwife, or person acting as midwife to file in accordance herewith the certificate herein contemplated. In each case where there was no physician, midwife, or person acting as midwife in attendance upon the birth, it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within 10 days after the date of such birth, to report to the local registrar the fact of such birth. In such case, and in case the physician, midwife, or person acting as midwife in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information contemplated in section 14 of this act, it shall then be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth, or who may be interrogated in relation thereto, to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by said section 14, and it shall be the duty of the informant, as to any statement made in accordance herewith, to verify such statement by his signature, when requested so to do by the local registrar.

SEC. 14. That the certificate of birth shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

(1) Place of birth, including State, county, township or town, village or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number.

(2) Full name of child. If the child dies without a name before the certificate is filed, enter the surname preceded by "Unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.

(5) For plural births, number of each child in order of birth.

(6) Legitimate or illegitimate: *Provided*, That in illegitimate births the word "illegitimate" shall be written across the face of the certificate and all items on the certificate which would in any way reveal the identity of the father, mother, or illegitimate child itself shall be omitted.

(7) Date of birth, including the year, month, and day.

(8) Full name of father: *Provided*, That if the child is illegitimate, the name of the putative father shall not be entered without his consent, but the other particulars relating to the putative father (items 9 to 13) may be entered if known, otherwise as "Unknown."

(9) Residence of father.

(10) Color or race of father.

(11) Educational attainments—illiterate, able to read and write, common school education or equivalent, high school education or equivalent, college education or equivalent.

(12) Age of father at last birthday, in years.

(13) Birthplace of father; at least State or foreign country, if known.

(14) Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

(15) Maiden name of mother.

(16) Residence of mother.

(17) Color or race of mother.

(18) Educational attainments—illiterate, able to read and write, common-school education or equivalent, high-school education or equivalent, college education or equivalent.

(19) Age of mother at last birthday, in years.

(20) Birthplace of mother; at least State or foreign country, if known.

(21) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

(22) Number of children born to this mother, including present birth.

(23) Number of children of this mother living.

(24) The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day (as given in item 7), and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then by the father or mother of the child,

householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred, or other competent person, each in the order named, whose duty it shall be to notify the local registrar of such birth, as required by section 13 of this act.

(25) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

SEC. 15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

SEC. 16. That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, shall make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this act, which are required in the forms of the certificates provided for by this act, as directed by the State registrar; and thereafter such record shall be, by them, made for all future inmates at the time of their admittance. And in case of persons admitted or committed for treatment of disease, the physician in charge shall specify for entry in the record the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself if it is practicable to do so; and when they can not be so obtained, they shall be obtained in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

SEC. 17. That the State registrar shall prepare, have printed, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State registrar or upon the original certificate, such information as they may possess regarding any birth or death upon demand of the State registrar, in person, by mail, or through the local registrar: *Provided*, That no certificate of birth or death, after its acceptance for registration by the local registrar, and no other record made in pursuance of this act, shall be altered or changed in any respect otherwise than by amendments properly dated, signed, and witnessed. The State registrar shall further arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers and mothers. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the State board of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread.

At the expiration of five years after the ratification of this act, certified copies of birth-registration certificates shall be accepted by public school authorities in this State as *prima facie* evidence of age of children registering for school attendance and no other proof shall be required. At the expiration of 14 years from the passage of

this act, certified copies of birth registration certificates shall be required by all factory inspectors, and employers of youthful labor, as prima facie proof of age, and no other proof shall be required from children born in this State or States which for 14 years previous to the date of such certificate have had registration laws essentially identical with this act: *Provided*, That when it is not possible to secure such certified copy of birth registration certificate for any child, the school authorities and factory inspectors may accept as secondary proof of age any competent evidence by which the age of persons is usually established.

If any cemetery company or association, or any church or historical society or association, or any other company, society, or association, or any individual, is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association, or individual may file such record or a duly authenticated transcript thereof with the State registrar, and it shall be the duty of the State registrar to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the State registrar may prescribe. If any person desires a transcript of any record filed in accordance herewith, the State registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record, as filed in his office, and for his services in so furnishing such transcript and certificate he shall be entitled to a fee of 50 cents per hour or fraction of an hour necessarily consumed in making such transcript and to a fee of 50 cents for the certificate, which fees shall be paid by the applicant.

SEC. 18. That each local registrar shall supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or of death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurred from some disease which is held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State board of health. If a certificate of birth is incomplete the local registrar shall immediately notify the informant, and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with number one for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied by the State registrar, which record book the local registrar shall deposit with the register of deeds of the county not later than the 15th of January each year. And the register of deeds shall keep an index, as devised and supplied him by the State registrar, of the births and deaths that have occurred in the county, and these records shall be open at all times to official inspection. And he shall, on the 10th day of each month, transmit to the State registrar all original certificates registered by him for the preceding month. And if no births or no deaths occurred in any month the local registrar shall, on the 10th day of the

following month, report that fact to the State registrar, on a card provided for such purpose.

SEC. 19. That each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State registrar, as required by this act. And in case no births or deaths were registered during any month the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly, as required by this act. All amounts payable to a local registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon certification of the State registrar. And the State registrar shall certify every three months to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the rates fixed herein: *Provided*, That the chairman of the board of county commissioners of the several counties may have the right to make such agreements with the several local registrars and subregistrars as may be agreed upon between said chairman and the local registrars or subregistrars as to the compensation to be paid local registrars or subregistrars.

SEC. 20. That the State registrar shall, upon request, supply to any applicant a certified copy of the record of any birth or death registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant: *Provided*, That the United States Census Bureau may obtain, without expense to the State, transcripts or certified copies of births and deaths without payment of the fees herein prescribed. And any such copy of the record of a birth or death, when properly certified by the State registrar, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn the same over to the treasurer of the State board of health.

SEC. 21. That any person, who for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, (a) shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the primary registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred or in which the body was found; or (b) shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by this act; or (c) shall willfully alter, otherwise than as provided by section 17 of this act, or shall falsify any certificate of birth or death, or any record established by this act; or (d) being required by this act to fill out a certificate of birth or death and file the same with the local registrar, or deliver it, upon request, to any person charged with the duty of filing the same, shall fail, neglect, or refuse to perform such duty in the manner required by this act; or (e) being a State registrar, a chairman of a board of county commissioners, a mayor of a city or town, a local registrar, a deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty as required by this act and by the instructions and direction of the State registrar thereunder, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for the first offense be fined not less than \$5 nor more than \$50, and for each subsequent offense not less than \$10 nor more than \$50, or be imprisoned in the county jail not more than 30 days, or be both fined and imprisoned in the discretion of the court.

SEC. 22. That each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district, under the super-

vision and direction of the State registrar. And he shall make an immediate report to the State registrar of any violation of this law coming to his knowledge, by observation or upon complaint of any person or otherwise.

The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and is hereby granted supervisory power over local registrars, deputy local registrars, and subregistrars, to the end that all of its requirements shall be uniformly complied with. The State registrar, either personally or through an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him, upon request, in such investigations. When he shall deem it necessary, he shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the county, or the solicitor of the district, with a statement of the facts and circumstances; and when any such case is reported to him by the State registrar the prosecuting attorney or solicitor of the district, as the case may be, shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the State registrar the attorney general shall likewise assist in the enforcement of the provisions of this act.

SEC. 23. That for the purposes of the thorough execution of this act the sum of \$10,000, or as much thereof as may be necessary, is hereby annually appropriated to be paid by the State auditor on requisition signed by the president and secretary of the State board of health. The printing and stationery necessary for the execution of this act shall be supplied by the State printer upon the requisition of the State registrar.

SEC. 24. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed; and no system for the registration of births and deaths shall be continued or maintained in any of the several municipalities of this State other than the one provided for and established by this act.

SEC. 25. That this act shall be in force and effect on and after the 1st day of July, 1913.

Births and Deaths—Registration of—Compensation of Officers. (Act Oct. 6, 1913.)

SECTION 1. That section 19, chapter 109, Public Laws of 1913, is hereby amended by striking out all after the period in line 9, to and including the colon in line 16,¹ and inserting in lieu thereof the words: "The compensation of local registrars for service required of them by this act shall be paid by the county treasurers for registration work outside of incorporated municipalities, and by the town or city treasurer for registration work in incorporated municipalities. The State registrar shall certify every three months to the treasurers of the several counties and incorporated municipalities the number of births and deaths properly registered, with the names of the local registrars and the amount due each at the rates fixed herein."

SEC. 2. That section 20, chapter 109, Laws of 1913,¹ be amended by adding at the end of the section the following: "*Provided further*, That for furnishing the United States Census Bureau with transcripts of deaths and births the State registrar may receive from the Census Bureau such compensation for his service, not exceeding 1 cent for each certificate, as the State board of health may approve."

¹ See p. 357.

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Infectious Diseases—Reporting of Cases of. (Chap. 59, Act Mar. 15, 1913.)

SEC. 6. That section 275 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 275. *Any physician to report cases of contagion.*—Whenever it shall come to the knowledge of any physician or other person that a case of tuberculosis, typhoid fever, or any other dangerous infectious disease exists within the jurisdiction of any county or city board of health, he shall immediately report to the superintendent of the county board of health or to the city health officer, in whichever jurisdiction the case may be, the name and place of residence, if known, of every person afflicted with such disease, and, if he is the attending physician of such person, he shall report not less than twice each week the condition of each person so afflicted, with the state of such disease."

Communicable Diseases—Morbidity Reports—Quarantine—Disinfection. (Reg. Bd. of H., Nov. 21, 1913.)

The term health officer as used in these regulations shall apply to and include all superintendents of county boards of health, all health officers of cities, all township supervisors, and health officials of villages by whatsoever name known.

1. Notification of every case of any one of the diseases known as smallpox, diphtheria, scarlet fever, measles, and whooping cough shall be made in writing to the health officer within 24 hours by the attending physician, or any other person who has knowledge of the existence of such disease, which notification shall specify the name of the disease, and the name and place of residence of the person so afflicted. Notification of every case of tuberculosis or typhoid fever shall be made in writing to the health officer as soon as a diagnosis is made, giving name of the disease, name, age, and address of the person afflicted.

2. If the disease is smallpox, diphtheria, or scarlet fever, the health officer shall at once, after receiving such notification, see that the patient is completely isolated from all other occupants of the house or building or removed to a hospital for such cases. If the disease is typhoid fever, tuberculosis, measles, or whooping cough, see section 11 for instructions.

3. If the disease is smallpox, diphtheria, or scarlet fever, the health officer shall give notice to the public of the danger of infection from such disease, in the house or building, by placing placards with the name of the disease upon such, in large and distinctly printed letters on the outer walls of the house or building, close to the front, rear, and other entrances.

4. The health officer shall rigidly quarantine on the premises upon which the infected house is situated, all the occupants of the house or building, not ill of the disease until after: (a) The removal or thorough isolation of the patient; (b) until after disinfection to the satisfaction of the health officer, of those not ill of the disease, their persons, clothing, and that part of the house occupied by them. After all such precautions have been taken, such persons shall not engage in their usual vocations, or in any other way mix or come in contact with other individuals until the health officer shall have given a certificate that in his opinion they may do so without danger of spreading the disease.

5. School boards are forbidden from employing any person as teacher afflicted with pulmonary tuberculosis, and all parents, guardians, or persons having the care

and custody of any child or minor afflicted with pulmonary tuberculosis are forbidden from sending such child or minor to any school or other public place.

6. In case the disease be scarlet fever, the certificate releasing from quarantine shall not be given by the health officer, to the person exposed, and who have not had the disease, until after the usual period of incubation has elapsed since last exposure, viz: a period of at least seven days, or longer, at the discretion of the health officer. In case the disease be diphtheria, the quarantine period shall be at least four days, or until a bacteriological examination of the secretions of the pharynx or naso-pharynx has been made and found free from bacilli, such examination to be at the discretion of the health officer. In case of smallpox, persons who have never had the disease, and who have not well-marked vaccinal scars, must not be released until after a period of 14 days after last exposure. All who have been exposed must be vaccinated, or revaccinated, at once, and those who have had smallpox, or who have on their persons well-marked typical vaccination scars, may be released, after thorough disinfection of persons and clothing, without further detention. It is, however, provided that under certain conditions which the health officer may consider justifiable, those exposed may be given restricted liberty after they are disinfected and vaccinated.

7. No child shall be permitted to enter any school in the State until satisfactory evidence of successful vaccination has been given to the proper authorities.

8. No health officer shall release any persons from quarantine who have been exposed to any of these diseases until he is satisfied as to the perfection of the isolation, disinfection, vaccination, and immunity from the disease, and that such persons may mingle with the public without danger of imparting the disease to which they have been exposed.

9. During the existence of the infection from any of the above diseases in any house or building, if it is found by the health officer that his instructions for the isolation of the patient are not being strictly adhered to, then he shall at once withdraw any permissions he may have given, allowing parties occupying other parts of the same building to mingle with the public.

10. In any case of suspected infectious or contagious diseases the health officer shall have the right to take whatever steps he may deem necessary to arrive at a correct diagnosis, but in no way interfere with the treatment of the case. This implies that the health officer shall quarantine all cases which are suspected to be communicable diseases until a correct diagnosis is made.

11. The minimum period during which a case of scarlet fever shall be deemed infectious shall be up to 5 days beyond complete desquamation, but in no case shall it be less than 30 days. In diphtheria the period shall be 30 days unless an absence of the diphtheria bacilli is proved by a bacteriological examination. The latter method of determining the time of quarantine is much to be preferred, for it will allow a person liberty when he is no longer dangerous to the public, and not before. Some few throats are free from bacilli about the end of the second week, but very many not until after 30 days, even where antitoxin is used. In smallpox the period shall be five days after all crusts shall have fallen from the skin, providing, however, that no case shall be quarantined less than 21 days. The minimum period of quarantine for measles shall be two weeks; whooping cough, one week after all paroxysmal cough has ceased, provided, however, that this shall not apply to adults who are not in attendance upon persons afflicted with whooping cough or measles. In case of typhoid fever the patient shall be isolated as well as possible, though not absolutely quarantined. Stools must be thoroughly disinfected before being emptied. There are several disinfectants which are reliable, such as chlorinated lime 4 per cent, 40 per cent solution of formaldehyde 4 per cent, and carbolic acid 5 per cent. Mix the disinfectants freely with the stools. Cover and let stand at least one hour before emptying. In case of tuberculosis the patient must be instructed how to dispose of his sputum and required to sleep alone in a well-ventilated room.

12. During the period of quarantine of any of these diseases no person or persons whomsoever, other than the attendants, physicians, health officers, and clergymen, shall have ingress to the isolated rooms or premises, and these shall only enter upon taking reasonable precautions to avoid being the cause of the spread of the disease. Clergymen shall only enter under the direction of the health officer.

13. No person from any house or building where smallpox, diphtheria, or scarlet fever exists shall expose himself or herself in any railway car, cab, or public conveyance without he or she has a certificate from the health officer that there is no danger of infection to others from such exposure.

14. No person shall let or hire any house or room in a house or other building where any of the diseases mentioned in section 1 have been until the same have been thoroughly disinfected and a certificate to that effect received from the health officer. This provision shall also apply to all hotels and lodging houses.

15. There shall be no public funeral of any person who has died from any of these diseases, and the coffin containing the body of any person dead from the same shall not be taken in any church or public building, typhoid fever and tuberculosis excepted.

16. The body of a person having died from smallpox, diphtheria, scarlet fever, measles, or whooping cough shall not be deposited in a public morgue.

17. No person, either by himself or agent, shall sell or expose for sale milk from cows kept upon premises where any of these diseases exist, nor milk which has been handled by, or has been in contact with, persons who have or who have been exposed to any of such diseases, until such person has received a certificate from the health officer stating that there is no danger of infection to others.

18. In all cases of these diseases the means of disinfection shall be: Burn everything of little value. Boil in water for one hour everything that can be boiled, the articles to be completely submerged. Wash the floors, woodwork, walls, ceilings, and all furniture that can be washed with a corrosive-sublimate solution of the strength of 1-2000 or carbolic acid 1-50. All furniture or other things that would be injured by any of the above means must be exposed from 10 to 12 hours in a room made air-tight by closing up seams and openings to the fumes of burning sulphur, using not less than 4 pounds of sulphur to each 1,000 cubic feet of space, or exposed to the action of formaldehyde gas for not less than 10 hours, not less than 12 ounces of 40 per cent solution of formaldehyde being vaporized in an approved generator, or by pouring 28 ounces of 40 per cent solution of formaldehyde upon 13½ ounces of powdered permanganate of potash in some such vessel as an earthen milk pan. The latter method is expensive and should not be used excepting where other methods are impracticable. Before fumigating the temperature of the room must be raised to at least 70° F.

19. The persons of patients recovered from any of these diseases shall be bathed thoroughly with soap and water and provided with clean, sterile clothing.

20. The bodies of all persons having died of these diseases shall be encased in sheets previously soaked in a solution of corrosive sublimate, 1-500, and shall be coffined as early as possible.

21. No public or private hospital for the care and treatment of any infectious disease shall be established, conducted, maintained, or carried on within 200 yards of any building previously erected.

22. Whenever the superintendent of the State board of health shall have information satisfactory to him, and is of the opinion that smallpox, diphtheria, scarlet fever, measles, whooping cough, or typhoid fever is epidemic or threatens to become epidemic in any county, township, city, town, or village in the State he shall have authority, as executive officer of the board, to issue a proclamation in the name of the board, declaring such disease epidemic, and to order and enforce such measures in the way of quarantine, isolation of the sick, vaccination, disinfection, and closure of schools, public and private, religious and secular, as in his judgment may be necessary to stamp out the infection.

23. It shall be the duty of the local health officer in his respective jurisdiction to disinfect or cause to be disinfected any body where death has been caused by smallpox, diphtheria, scarlet fever, or any dangerous contagious or infectious disease.

* * * * *

26. No superintendent, principal, or teacher of any school, and no parent, guardian, or master of any child or minor, having the power and authority to prevent, shall permit any such child or minor having smallpox, scarlet fever, diphtheria, measles, chicken pox, tuberculosis, infantile paralysis, erysipelas, whooping cough, mumps, scabies, pediculosis, ringworm, trachoma, or any other communicable disease, or any child residing in any house in which such disease exists or has recently existed, to attend any public, private, or parochial school, Sunday school, or church until the local health officer or school inspector shall have given his permission for such attendance.

27. The period of exclusion from school for children having the common communicable diseases are as follows: Scarlet fever, six weeks or longer if redness of the throat, nasal discharge, or other sequelæ persist; measles, two weeks from the date of the appearance of the eruption; German measles, one week from the date of the appearance of the eruption; chicken pox, until all scabs are gone; diphtheria, one week after second negative culture from nose and throat; whooping cough, eight weeks from appearance of characteristic cough; mumps, three weeks or longer if swelling persists; pediculosis, until all parasites and nits are gone; ringworm, scabies, and impetigo, until examination reveals successful treatment; smallpox, after complete desquamation, but at least four weeks shall have elapsed from appearance of eruption

Tuberculosis—Erection of Cottages by Fraternal Societies at State Sanitarium Authorized. (Chap. 286, Act Mar. 11, 1913.)

SECTION 1. Any fraternal corporation or society organized under the laws of this State, or authorized to transact business in this State, is hereby empowered and authorized to build upon the site of the State tuberculosis sanitarium at Dunseith, in the county of Rolette, a cottage or cottages for the treatment of members of such corporations or societies and their families affected with pulmonary tuberculosis.

SEC. 2. Any such fraternal corporation or society desiring to construct a cottage or cottages, as provided in section 1 of this act, may make an application in writing to the board of trustees of the State tuberculosis sanitarium at Dunseith, or other governing board, setting forth in such application a description of the cottage or cottages desired by such corporation or society to be erected on such site, and the said board of trustees or other governing board and the superintendent of the State tuberculosis sanitarium may permit such corporation or society to erect any cottage, or cottages, as they may deem proper, and to construct any necessary sewerage, water mains, electric-light connections, telephone lines necessary for the use of such cottage or cottages so erected by such fraternal corporation or society; and the board of trustees or other governing board of the State tuberculosis sanitarium is hereby authorized to make a contract with such fraternal corporation or society for the furnishing of such cottage or cottages with heat, light, water, sewerage as may be necessary to maintain said cottage or cottages, and may contract to furnish medical attendants, medicines, nurses, food, and anything else necessary for the care and maintenance of the patients in such cottage or cottages so erected as hereinbefore stated.

SEC. 3. All members of such corporation or society mentioned in section 1 and all members in their families affected with pulmonary tuberculosis may be admitted to said cottage or cottages under rules prescribed by the governing body of such corporation or society, except as otherwise provided in this act: *Provided, however,* That all incurable patients must be kept separate and apart from the curable patients, under rules and regulations to be prescribed by the board of trustees of the State tuberculosis sanitarium or other governing body.

SEC. 4. Such corporation or society may admit to such cottage or cottages all patients eligible to admission to the State sanitarium, under section 5 of chapter 44 of the Session Laws of 1911, upon such terms as may be agreed upon by the trustees of the State sanitarium and the governing body of such corporation or society.

County Boards of Health—Constitution, Powers, and Duties—County Superintendents. (Chap. 59, Act Mar. 15, 1913.)

SECTION 1. That section 259 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 259. There are hereby established county boards of health composed of a president, vice president, and superintendent. The State's attorney in each county shall be president of the county board; the county superintendent of schools shall be vice president, and he shall also appoint a superintendent of public health for the county, who shall be learned in medicine and hold a license to practice medicine and surgery within the State, and the several persons appointed shall hold their offices for one year and until their successors are elected and qualified: *Provided, however,* That whenever the State board of health has reason to believe that the county superintendent of public health is failing to perform his duties as prescribed by law, they may report the case to the board of county commissioners and the latter shall at their next meeting declare the office vacant and appoint another physician in his place for the remainder of the unexpired term."

SEC. 2. That section 262 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 262. The several county boards of health shall have power within their respective counties outside of the corporate limits of cities having a city board of health, subject to the supervisory control of the State board of health and its secretary:

"1. To supervise all matters relating to the preservation of life and health of the people, including public water supplies and sewerage system, and have supreme authority in matters of quarantine, which it may declare and enforce when none exists, and modify, relax, or abolish when it has been established.

"2. To isolate, kill, or remove any animal affected with contagious or infectious diseases that is a menace to the health of human beings.

"3. To remove or abate, or cause to be removed or abated, any public or private nuisance that may endanger the health of others.

"4. To make and enforce orders in local matters when emergency exists, or when the local board of health has neglected or refused to act with promptness or efficiency, or when such board has not been established as provided by law. In such cases the necessary expense incurred shall be paid by the county for which the services are rendered. All expenses actually and necessarily paid or incurred by the county board of health in carrying out the provisions of this article, such as livery, hotel bills, quarantine guards, automobile hire, railroad fare, stamps, etc., shall be audited by the board and certified to the county commissioners and shall be paid the same as other county expenses are paid."

SEC. 3. That section 263 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 263. *Powers and duties of the superintendent.*—The county superintendent of health shall have charge of and superintend, subject to the supervisory control of the State board of health, all matters and things mentioned in subdivisions 1, 2, 3, and 4 of section 2 of this act, throughout the county outside the corporate limits of cities. He shall exercise supervisory control of the local boards of health within his county, known as village boards of health, and township boards of health. He shall furnish, at the expense of the county board of health, all township and village clerks and all physicians within his jurisdiction with proper blanks for reporting to him all contagious and infectious diseases. He shall properly instruct the township and village clerks and the physicians within his jurisdiction on the proper methods to employ in reporting contagious diseases. He shall be charged with strict and

thorough enforcement of the laws, rules, and regulations, to the end that the health of the people be conserved and protected. When it shall come to his notice or when he believes that there is a probability that a dangerous disease exists within his jurisdiction he shall make such sanitary inspection of such places as he may deem advisable, and shall take such action and enforce such rules and regulations as he may deem necessary for the protection of the public health. Whenever a village board of health or township board of health within his jurisdiction neglects or refuses to perform any of its duties as specified in this act, or refuses or neglects to execute any of the orders or regulations of the county board of health, then the superintendent of said county board of health may execute its orders and regulations by agents of its own appointment.

"He shall have full and complete control, subject to the supervisory control of the State board of health, of all matters pertaining to public health outside the limits of incorporated cities within his county. He shall decide when quarantine and disinfection are necessary for the safety of the public and shall have power to establish and perform the same. All expenses incurred in quarantining or disinfecting outside of incorporated cities shall be audited by the county board of health and paid for out of the general fund of the county. He may send out circulars permitting the use of the long-distance telephone, at the expense of the county board of health, in all cases of emergency. He may also investigate, subject to the supervisory control of the State board of health, all public water and ice supplies which are suspected of being infected and cause them to be condemned whenever he finds it necessary. He may also investigate public milk supplies and prohibit the sale of unwholesome milk and dairy products, stop shipment of spoiled or unwholesome meat, the slaughtering of diseased animals and subsequent sale of the meat thereof. He shall enforce cleanliness in schools, inspect overcrowded, poorly ventilated, and insanitary schoolhouses, and when necessary report such cases to the board of inspection, as provided in section 80, chapter 266 of the Session Laws of 1911. He shall by the 10th day of each month report to the secretary of the State board of health, on blanks furnished for that purpose, the name and address of each case of dangerous and contagious infectious diseases occurring in his jurisdiction for the preceding month, with the name of the party reporting the same, together with a detailed statement of his official acts."

SEC. 4. That section 264 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 264. The president and vice president of the board shall receive \$3 per day for every day in which they may be actually and necessarily engaged in the performance of their duties, and 5 cents per mile for every mile actually and necessarily traveled in the discharge of their duties. The county superintendent of health shall receive from \$300 to \$600 a year for his office work, which sum shall be determined annually by the county commissioners, and according to the efficiency of the health officer and the amount and character of the work performed. He shall also receive \$5 per day for every day or fraction thereof that he may be actually and necessarily engaged in the performance of his official duties, not including work confined to his office, and in addition to his expenses and other remunerations shall receive 5 cents for each mile actually and necessarily traveled in the performance of his duties."

City Boards of Health—Meetings—Duties—Health Officer. (Chap. 59, Act Mar. 15, 1913.)

SEC. 5. That section 267 of the Revised Codes of 1905 be amended to read as follows:

"SEC. 267. At the first meeting of the city council in April of each odd-numbered year, there shall be appointed by the mayor and confirmed by the council one health officer, who shall hold his office for two years and until his successor is appointed and qualified: *Provided, however,* That when the State board of health is satisfied that the city health officer is neglecting or refusing to perform the duties of his office in conformity with the laws, rules, and regulations which are in force governing such matters, they may report the case to the city council and the mayor shall at the next

meeting declare the office vacant and appoint another physician to fill the unexpired term.

"**SUBDIVISION A. Meetings.**—The board shall meet on the first Tuesday after the first meeting of the city council in April at such hour and place as may be named by the city health officer. The board shall organize by electing from its members a president and vice president. The city health officer shall be secretary and executive officer of the board. A majority of the board shall constitute a quorum. The other regular meetings of the board shall be held on the second Tuesday in July, October, and January. Special meetings may be held at any time on call of the president and secretary.

"**SUBDIVISION B. Duties of officers of board.**—The president of each city board of health shall preside at the meetings thereof and in his absence the vice president shall perform the duties of the president. The secretary shall keep a record of all the proceedings of the board and of his official acts. He shall see that the health ordinances of the city, the rules and regulations of his board, and the rules and regulations of the State board of health and the health laws of the State are fully complied with throughout his jurisdiction, and he is hereby charged with strict enforcement of the same. He shall properly instruct the physicians within his jurisdiction in the proper methods to employ in reporting contagious diseases and shall furnish said physicians with the necessary blanks for that purpose, such blanks to be of the form prescribed by the State board of health. He shall keep a record of all dangerous, contagious, and infectious diseases occurring within his jurisdiction, which record shall show the name and address of the party affected, the name of the disease, by whom reported, and such other statistical data as may be required by the State board of health. He shall by the 10th of each month report to the secretary of the State board of health, on blanks furnished for the purpose, all cases of dangerous, infectious, and contagious diseases that have occurred within his jurisdiction during the preceding month, with such further data as may be required by the State board of health. The diseases that shall be regarded as infectious or contagious shall be those so designated in the rules and regulations of the State board of health."

Township and Village Boards of Health—Constitution, Powers, and Duties. (Chap. 59, Act Mar. 15, 1913.)

SEC. 9. That section 3116 of the Revised Codes of 1905 be amended to read as follows:

"Sec. 3116. The supervisors of each township and the trustees of each incorporated village shall constitute a board of health, and within their respective townships or villages shall have and exercise, under the supervisory control of the county superintendent of public health, all powers necessary for the preservation of public health."

SEC. 10. That section 3117 of the Revised Codes of 1905 be amended to read as follows:

"Sec. 3117. The board of health may examine into all nuisances, sources of filth, and causes of sickness and make such temporary regulations respecting the same as it shall judge necessary for the public health and safety of the inhabitants, but upon taking such action the board shall immediately report the same to the county superintendent of public health, who shall then take the matter up and give the board specific instructions or proceed to the place and take such action as he may deem necessary for the protection of public health, and each person who violates any order or regulation made by any board of health, and duly published, is guilty of a misdemeanor and is punishable by a fine not exceeding \$100, or by imprisonment in the county jail not exceeding three months."

Common Drinking Cups—Prohibited in Schools and Public Places. (Chap. 228, Act Mar. 1, 1913.)

SECTION 1. The use of public drinking cups on railroad trains, in railroad stations, in the public, parochial, or private schools, and other educational institutions and

other public buildings of the State of North Dakota, is hereby prohibited from and after September 1, 1913.

SEC. 2. No person or corporation in charge of any railroad train or station, no school board, board of education, town board of school directors, or board of trustees of any public, parochial, or private school or educational institutions and other public buildings shall furnish any drinking cups for public use, and no person or corporation shall permit upon said railroad trains or in station, or at any said public, parochial, or private school or educational institution the common use of drinking cups.

SEC. 3. Whosoever violates the provisions of this act shall be deemed guilty of misdemeanor and shall be liable to a fine of not to exceed \$25 for each offense.

Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., Nov. 21, 1913.)

24. The use of the common drinking cup shall be prohibited on all railroad trains, railroad stations, waiting rooms, hotels, restaurants, boarding houses, stores, schools (public and private), or any State institution or other public place in the State of North Dakota.

25. The common towel, having been proven to be a medium through which disease is carried from person to person, therefore, for the protection of the public health, the use of the aforesaid towel shall be prohibited in all railroad stations, waiting rooms, hotels, restaurants, boarding houses, boarding schools, or other public places in this State.

Hotels—Sanitary Regulations for. (Chap. 184, Act Feb. 26, 1913.)

SECTION 1. Section 6 of chapter 135 of the Laws of 1907, as amended by section 5 of chapter 141 of the Laws of 1909, is amended and reenacted to read as follows:

"SEC. 6. *Sanitary provisions.*—Every hotel shall be well drained, constructed, and plumbed according to established sanitary principles; shall be kept clean and in a sanitary condition and free from effluvia arising from any sewer, drain, privy, or other source within control of the owner, manager, agent, or other person in charge; shall be provided with water-closets or privies, properly screened, for the separate use of males and females, which water-closets or privies shall be disinfected as often as may be necessary to keep them at all times in a sanitary condition. All bedrooms shall be kept free from vermin, and the bedding in use shall be clean and sufficient in quantity and quality; all sheets shall be at least 8 feet in length; each guest shall be furnished with two towels; in case bedrooms are carpeted, the carpet or carpets thereon shall be taken up and thoroughly cleansed at least once each year; no rusted tin or iron vessel or utensil shall be used in cooking food, and all foodstuffs shall be kept in a clean and suitable place, free from dampness and contact with dirty water; the floors, closets, cupboards, and walls of all kitchens shall at all times be kept free from dirt, and no dust or greases shall be allowed to collect thereon; a metal container shall be provided to hold ashes where such ashes are stored in or around the hotel building.

"In all cases where a patient having an infectious or contagious disease has been confined in a hotel room, such room shall upon the removal of such patient be closed and fumigated, and upon the completion of such fumigation the certificate of a reputable physician to that fact shall be forwarded to the hotel inspector. In all hotels or lodging houses where 50 cents or more per night is charged for lodging the sheets and pillowcases shall be changed after the departure of each guest, and within three months after the taking effect of this act it shall be unlawful to have upon a bed of any such hotel or lodging house any mattress of a lower grade than that commonly known to the trade as cotton-felt combination; each mattress shall weigh at least 35 pounds, unless it be a hair mattress, in which case it shall weigh 30 pounds or more. Each hotel, rooming house; or restaurant where 50 cents or more per meal is charged shall keep in its main public washroom individual towels or paper toweling in full

view and reach of all guests at all hours. Each room shall be properly ventilated by at least one window, and by a doorway leading into the hall."

SEC. 2. Section 10 of chapter 135, Laws of 1907, is amended and reenacted to read as follows:

"SEC. 10. *Certificate of inspection to be posted.*—If the inspector shall find after examination of any hotel that this law has been fully complied with, he shall issue a certificate to that effect to the person operating the same, and said certificate shall be kept posted up in a conspicuous place in said inspected building; and provided, that no certificate shall be issued in any case until the inspection fee shall have been paid."

Secondhand Goods—Disinfection Required. (Chap. 134, Act Mar. 11, 1913.)

SECTION 1. It shall be the duty of every person, firm, or corporation dealing in secondhand furniture, before selling or exchanging, or offering for sale or exchange, or intending to sell or offer for sale or exchange to the public in this State secondhand furniture, bedclothes, wearing apparel, or any articles, including kitchen equipments and utensils of every description ordinarily used in furnishing, equipping, or decorating a home, to disinfect thoroughly each and every such article before the same shall be sold or exchanged, or offered for sale or exchange, or in any manner disposed of in a manner approved or prescribed by the State board of health; and it shall be the duty of the said board to prescribe the rules and regulations necessary to secure proper disinfection, as contemplated in this act, and such other rules relative to the working or tagging of disinfected articles, as in the judgment of said board may be necessary to the proper safeguard of the public from contagious infection.

SEC. 2. Any persons violating any of the provisions of this act in selling or offering for sale or exchange any article or articles of furniture without first having disinfected the same as required herein shall be guilty of a misdemeanor, and shall be fined in a sum not less than \$25 and not more than \$100, or be imprisoned in the county jail for not less than 30 days nor more than 90 days, in the discretion of the court.

Marriages—Prohibited in Certain Cases—Affidavit of Physician Required—License. (Chap. 207, Act Mar. 1, 1913.)

SECTION 1. No woman under the age of 45 years, or man of any age, except he marry a woman over the age of 45 years, either of whom is a common drunkard, habitual criminal, epileptic, imbecile, feeble-minded person, idiot, or insane person, or person who has theretofore been afflicted with heredity insanity, or is afflicted with pulmonary tuberculosis in its advanced stages, or any contagious venereal disease, shall hereafter intermarry or marry any other person within this State.

SEC. 2. No clergyman or other officer authorized by law to solemnize marriages within this State shall hereafter perform a marriage ceremony uniting persons in matrimony, either of whom is an epileptic, imbecile, feeble-minded person, common drunkard, insane person, habitual criminal, or person afflicted with pulmonary tuberculosis in its advanced stages, or any contagious venereal disease, unless the female party to such marriage is over the age of 45 years.

SEC. 3. The county judge, before a marriage license is issued, shall require each applicant therefor to file in his office upon blanks to be provided by the county for that purpose an affidavit of at least one duly licensed physician, other than the person seeking the license, showing that the contracting parties are not feeble-minded, imbeciles, epileptics, insane persons, common drunkards, or persons afflicted with pulmonary tuberculosis in its advanced stages: *Provided*, That in addition the affidavit as to the male contracting party shall show that such male is not afflicted with any contagious venereal disease. He shall also require an affidavit of some disinterested credible person showing that said persons are not habitual criminals; the female is over the age of 18 years and the male is over the age of 21 years, unless the consent in writing is obtained of the father, mother, or other guardian of the person

for whom the license is required in cases where the female is under the age of 18 years and the male is under the age of 21 years: *Provided*, That no consent shall be given nor license issued unless such female be over the age of 15 years. Said affidavit may be subscribed and sworn to before any person authorized to administer oaths. Anyone knowingly swearing falsely to the statements contained in the affidavit mentioned in this act shall be deemed guilty of perjury and punished as provided by the laws of the State of North Dakota.

SEC. 4. A license to marry shall not be issued to one under the influence of intoxicating liquor at the time of making application for license, and no marriage ceremony shall be performed when either or both of the contracting parties are under the influence of intoxicating liquor or any narcotic drug.

SEC. 5. For making an examination of either of the contracting parties to a marriage, and the affidavit required in this act, a physician may charge a fee of not to exceed \$2.

SEC. 6. Any person violating any of the provisions of this act, or any person knowingly swearing falsely to any of the statements contained in the affidavits mentioned in this act, shall be punished by a fine of not less than \$50 or more than \$500, or by imprisonment in the county jail not over 30 days, or by both such fine and imprisonment.

Schools—Investigation of Insanitary Buildings and Defective Children. (Chap. 263, Act Mar. 11, 1913.)

SECTION 1. That section 80 of chapter 266 of the Session Laws of 1911 be, and the same is hereby, amended to read as follows:

"SEC. 80. *County board of health.*—Whenever the county superintendent of schools shall report to the county board of health that a schoolhouse or any school outbuilding is in an insanitary or unsafe condition, or that any of the pupils or any person of school age is alleged to be defective in mind or body, it shall be the duty of the said board to investigate the report without delay and to direct the school board or a person in charge of the alleged defective to take such actions as shall seem to be for the best interests of the persons immediately concerned."

Railway Coaches—Sweeping While Occupied by Passengers. (Chap. 231, Act Mar. 13, 1913.)

SECTION 1. The sweeping of railroad coaches or cars while occupied by passengers, except such sweeping be done with a vacuum cleaner, or other similar device, or except when the floor of such car shall previously have been thoroughly moistened with water or oil, or by the use of sufficient sweeping compound to keep down the dust, is hereby prohibited.

SEC. 2. Any person or corporation violating the provisions of this act shall be punishable by a fine not exceeding \$25.

Railroad Stations—Water-Closets or Privies—Cleaning of Waiting Rooms. (Chap. 232, Act Feb. 25, 1913.)

SECTION 1. *Closets, where provided.*—All railroad companies operating railroads in North Dakota shall provide and maintain at any and all railroad stations in the State where passengers' tickets are sold, within reasonable access of the depot, a water-closet, earth-closet, or privy for the accommodation of railroad employees and the traveling public, or where a sewerage system is maintained within 300 feet of such station waiting room, then and in that case the water-closet shall be within the station house. Entirely separate compartments for men and women shall be provided. The water-closet, earth-closet, or privy for males shall also have urinals arranged with conduits of galvanized iron or other impervious material, draining into a sewer, vault, or other suitable place which will prevent the creation of a nuisance.

SEC. 2. *Authority to inspect.*—The board of railroad commissioners of the State or the local health officer or health commissioner of the township, incorporated village,

or city in which the depot is located, shall have authority to inspect such water-closets, earth-closets, or privies from time to time, and if they are found to be in an insanitary condition, he or they shall notify the proper officials of the railroad company, stating in what respect such water-closets, earth-closets, or privies are insanitary, and it shall be the duty of the railroad company within a reasonable time to make such alterations or repairs as will remove the insanitary conditions complained of.

SEC. 3. *Waiting rooms, how and when cleaned.*—The waiting rooms at the railroad stations in this State shall be scrubbed or washed at least once a week with some standard disinfectant, and such waiting rooms shall at all times be maintained in a comfortable and sanitary condition.

SEC. 4. *Repeal.*—Chapter 238 of the Session Laws of 1911 is hereby repealed.

SEC. 5. *Penalty.*—Any person, firm, or corporation failing to comply with the provisions of this act shall upon conviction be punished by a fine of not less than \$20 or more than \$100.

Railway Sanitation—Sanitary Regulations for Camps.

On March 28, 1913, the State Board of Health of North Dakota adopted as regulations of that board for the State of North Dakota the rules agreed upon by the Northwestern Sanitary Conference, December 5, 1912, covering railway sanitation (communicable diseases, spitting, drinking water, cleaning and fumigation, etc.) and camp sanitation. These rules appear on page 283.

Diseased Animals—Care and Sale of—Sale of Meat and Milk From. (Chap. 204, Act Mar. 10, 1913.)

Section 2005 of the Revised Codes of 1905 as amended by chapter 162 of the Session Laws of 1909 is hereby amended and reenacted to read as follows:

"SEC. 2005. *Duty of owners of stock—Animals in transit—Meats to be labeled.*—The following regulations shall be observed in all cases of disease covered by this article:

"First. It shall be unlawful to sell, give away, or in any manner part with any animal affected with or suspected of being affected with any contagious or infectious disease, with such exception as shall be provided for by the rules and regulations of the live-stock sanitary board; and in case of any animal that may be known to have been affected with or exposed to any such disease within one year or prior to such disposal, due notice of the fact shall be given in writing to the person receiving the animal.

"Second. It shall be unlawful to kill for butcher purposes any such animal, or to sell, give away, or use any part of it or its milk, or to remove any part of the skin, with such exceptions as shall be provided for by the rules and regulations of the live-stock sanitary board: *Provided*, That in all cases where, under the rules and regulations of the live-stock sanitary board of this State, it shall be lawful to sell, barter, or give away for human consumption the meat from any animal affected with contagious or infectious diseases, there shall be placed upon each quarter of the animal so affected in at least 10 separate places a stamp or label clearly showing the words 'Affected meat.' No meat from any affected or diseased animal shall be placed upon the same block or table on which meat not so affected is handled. Failure to observe these provisions shall be a misdemeanor, and on conviction shall be punished by a fine of not less than \$100 or to be imprisoned in the county jail for a term of not less than 30 days nor more than 1 year. It shall be the duty of the owner, agent, or person having in charge any animal infected or suspected of being infected with any contagious disease immediately to confine the same in a safe place, isolated from all other animals, and with all necessary restrictions to prevent the dissemination of the disease, until the arrival of an accredited agent of the live-stock sanitary board."

SEC. 2. *Repeal.*—All acts and parts of acts in conflict with this act are hereby repealed.

OHIO.

Occupational Diseases—Notification of Cases. (Act Apr. 23, 1913.)

SECTION 1. Every physician in this State attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury, or their compounds, or from anthrax, or from compressed air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within 48 hours from the time of first attending such patient send to the State board of health a report stating:

- (a) Name, address, and occupation of patient.
- (b) Name, address, and business of employer.
- (c) Nature of disease.
- (d) Such other information as may be reasonably required by the State board of health.

The reports herein required shall be made on, or in conformity with, the standard schedule blanks hereinafter provided for. The mailing of the report, within the time required, in a stamped envelope addressed to the office of the State board of health, shall be a compliance with this section.

SEC. 2. The State board of health shall prepare and furnish, free of cost, to the physicians included in the preceding section, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the State board of health.

SEC. 3. Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported.

SEC. 4. It shall furthermore be the duty of the State board of health to transmit a copy of all such reports of occupational disease to the proper official having charge of factory inspection.

Occupational Diseases—Notification of Cases and Prevention of. (Act May 6, 1913.)

SECTION 1. *General duties of employers.*—Every employer shall, without cost to the employees, provide reasonably effective devices, means and methods to prevent the contraction by his employees of illness or disease incident to the work or process in which such employees are engaged.

SEC. 2. *Especially dangerous works or processes.*—Every work or process in the manufacture of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate or fluosilicate, is hereby declared to be especially dangerous to the health of the employees, who, while engaged in such work or process, are exposed to lead dusts, lead fumes, or lead solutions.

SEC. 3. *Duties of employers to provide safety appliances for the protection of employees in especially dangerous works or processes.*—Every employer shall, without cost to the employees, provide the following devices, means and methods for the protection of his employees who while engaged in any work or process included in section 2, are exposed to lead dusts, lead fumes, or lead solutions:

- (a) *Working rooms, hoods and air exhausts for the protection of employees engaged in any work or process which produces lead dusts or lead fumes.*—The employer shall provide and maintain workrooms adequately lighted and ventilated, and so arranged that there is a continuous and sufficient change of air, and all such rooms shall be fully ventilated and separated by partition walls from all departments in which the work

or process is of a nondusty character; and all such rooms shall be provided with a floor permitting an easy removal of dust by wet methods or vacuum cleaning, and all such floors shall be so cleaned daily.

Every work or process referred to in section 2, including the corroding or oxidizing of lead, and the crushing, mixing, sifting, grinding, and packing of all lead salts or other compounds referred to in section 2, shall be so conducted and such adequate devices provided and maintained by the employer as to protect the employee, as far as possible, from contact with lead dust or lead fumes. Every kettle, vessel, receptacle, or furnace in which lead in any form referred to in section 2 is being melted or treated, and any place where the contents of such kettles, receptacles, or furnaces are discharged shall be provided with a hood connected with an efficient air exhaust; all vessels or containers in which dry lead in any chemical form or combination referred to in section 2, is being conveyed from one place to another within the factory shall be equipped at the places where the same are filled or discharged, with hoods having connection with an efficient air exhaust; and all hoppers, chutes, conveyors, elevators, separators, vents from separators, dumps, pulverizers, chasers, dry pans, or other apparatus for drying pulp lead, dry-pans dump, and all barrel packers and cars or other receptacles into which corrosions are at the time being emptied shall be connected with an efficient dust-collecting system; such system to be regulated by the discharge of air from a fan, pump, or other apparatus, either through a cloth dust collector having an area of not less than one-half square foot of cloth to every cubic foot of air passing through it per minute, the dust collector to be placed in a separate room which no employee shall be required or allowed to enter, except for essential repairs, while the works are in operation; or such other apparatus as will efficiently remove the lead dusts from the air before it is discharged into the outer air.

(b) *Washing facilities.*—The employer shall provide a wash room or rooms which shall be separate from the workrooms, be kept clean, and be equipped with:

(1) Lavatory basins fitted with waste pipes and two spigots conveying hot and cold water; or

(2) Basins placed in troughs fitted with waste pipes and for each basin two spigots conveying hot and cold water; or

(3) Troughs of enamel or similar smooth impervious material fitted with waste pipes, and for every 2 feet of trough length two spigots conveying hot and cold water.

Where basins are provided there shall be at least one basin for every five employees, and where troughs are provided, at least 2 feet of trough for every five such employees. The employer shall also furnish nail brushes and soap, and shall provide at least three clean towels per week for each such employee. A time allowed of not less than 10 minutes, at the employer's expense, shall be made to each such employee for the use of said washroom before the lunch hour and at the close of the day's work.

The employer shall also provide at least one shower bath for every five such employees. The baths shall be approached by wooden runways, be provided with movable wooden gratings, be supplied with controlled hot and cold water, and be kept clean. The employer shall furnish soap and shall provide at least two clean bath towels per week for each such employee. An additional time allowance of not less than 10 minutes, at the employer's expense, shall be made to each such employee for the use of said baths at least twice a week at the close of the day's work. The employer shall keep a record of each time that such baths are used by each employee, which record shall be open to inspection at all reasonable times by the State department of factory inspection and also by the State board of health.

(c) *Dressing rooms.*—The employer shall provide a dressing room or rooms which shall be separate from the workrooms, be furnished with a double sanitary locker or two single sanitary lockers for each such employee, and be kept clean.

(d) *Eating rooms.*—The employer shall provide an eating room or eating rooms which shall be separate from the workrooms, be furnished with a sufficient number of

tables and seats, and be kept clean. No employee shall take or be allowed to take any food or drink of any kind into any workroom, nor shall any employee remain or be allowed to remain in any workroom during the time allowed for his meals.

(e) *Drinking fountains.*—The employer shall provide and maintain a sufficient number of sanitary drinking fountains readily accessible for the use of the employees.

(f) *Clothing.*—The employer shall provide at least two pairs of overalls and two jumpers for each employee, and repair or renew such clothing when necessary, and wash the same weekly. Such clothing shall be kept exclusively for the use of that employee.

(g) *Respirators.*—The employer shall provide, and renew when necessary, at least two reasonably effective respirators for each employee who is engaged in any work or process which produces lead dusts.

SEC. 4. *Duties of employees in especially dangerous works or processes to use the safety appliances provided by the employers.*—Every employee who, while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes, or lead solutions, shall:

(a) Use the washing facilities provided by the employer in accord with section 3 (b) and wash himself at least as often as a time allowance is therein granted for such use.

(b) Use the eating room provided by the employer in accord with section 3 (d) unless the employee goes off the premises for his meals.

(c) Put on, and wear at all times while engaged in accord with section 3 (f) and remove the same before leaving at the close of the day's work; and keep his street clothes and his working clothes, when not in use, in separate lockers or separate parts of the locker provided by the employer in accord with section 3 (c).

(d) Keep clean the respirators provided by the employer in accord with section 3 (g) and use one at all time [sic] while he is engaged in any work or process which produces lead dusts.

SEC. 5. *Notices.*—The employer shall post in a conspicuous place in every workroom where any work or process included in section 2 is carried on, room where washing facilities are provided, dressing rooms, and eating room, a notice of the known dangers arising from such work or process, and simple instructions for avoiding, as far as possible, such dangers. The chief State factory inspector shall prepare a notice containing the provision of this act, and shall furnish, free of cost, a reasonable number of copies thereof to every employer included in section 2, and the employer shall post copies thereof in the manner hereinabove stated. The notices required in this section shall be printed in plain type on cardboard, and shall be in English and in such other languages as the circumstances may reasonably require. The contents of such notices shall be explained to every employee by the employer when the said employee enters employment in such work or process, and in addition shall be read to all employees at least once a month, interpreters being provided by the employer when necessary to carry out the above requirements.

SEC. 6. *Medical examination.*—The employer shall cause every employee who, while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes, or lead solutions, to be examined at least once a month for the purpose of ascertaining if symptoms of lead poisoning appear in any employee. The employee shall submit himself to the monthly examination and to examination at such other times and places as he may reasonably be requested by the employer, and he shall fully and truly answer all questions bearing on lead poisoning asked him by the examining physician. The examinations shall be made by a licensed physician, designated and paid by the employer, and shall be made during the working hours, a time allowance therefor, at the employer's expense, being made to each employee so examined.

SEC. 7. *Record and reports of medical examination.*—Every physician making any examination under section 6 and finding what he believes to be symptoms of lead

poisoning shall enter, in a book to be kept for that purpose in the office of the employer, a record of such examination containing the name and address of the employee so examined, the particular work or process in which he is engaged, the date, place, and finding of such examination, and the directions given in each case by the physician. The record shall be open to inspection at all reasonable times by the State department of factory inspection and by the State board of health.

Within 48 hours after such examination and finding, the examining physician shall send a report thereof in duplicate, one copy to the State department of factory inspection and one to the State board of health. The report shall be open or in conformity with blanks to be prepared and furnished by the (State board of health), free of cost, to every employer included in section 2, and shall state:

(a) Name, occupation, and address of employee.

(b) Name, business, and address of employer.

(c) Nature and probable extent of disease.

(d) Such other information as may be reasonably required by the State board of health.

The examining physician shall also, within the said 48 hours, report such examination and finding to the employer, and after five days from such report the employer shall not continue the said employee in any work or process where he will be exposed to lead dusts, lead fumes, or lead solutions, nor return the said employee to such work or process without a written permit from a licensed physician.

Sec. 8. Enforcement.—The State department of factory inspection shall enforce this act and prosecute all violations of the same. The officers, or their agents, of the said department shall be allowed at all reasonable times to inspect any place of employment included in this act.

Sec. 9. Penalties.—Every employer who either personally or through any agent violates or fails to comply with any provision of section 1 or section 3 shall be guilty of a misdemeanor, and on conviction for the first offense shall be fined not less than \$100 nor more than \$200, and on conviction for the second offense not less than \$200 nor more than \$500, and on conviction for each subsequent offense not less than \$300 nor more than \$1,000, and in each case he shall stand committed until such fine and the costs are paid, or until he is otherwise discharged by due process of law.

Every employee who violates or fails to comply with any provision of section 4 shall be guilty of a misdemeanor, and on conviction for the first offense shall be fined not less than \$10 nor more than \$25, and on conviction for the second offense not less than \$20 nor more than \$50, and on conviction for each subsequent offense not less than \$30 nor more than \$100, and in each case he shall stand committed until such fine and the costs are paid, or until he is otherwise discharged by due process of law.

Every employer who, either personally or through any agent, violates or fails to comply with any provision of sections 5, 6, or 7, relating to him, and every employee who violates or fails to comply with the provision of section 6 relating to him shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than \$10 nor more than \$100.

Sec. 10. Definition.—In this act, unless the context otherwise requires, "employer" includes persons, partnerships, and corporations.

Sec. 11. Constitutionality.—For the purpose of determining the constitutionality of any provision of this act, section 1 hereof is declared to be independent of and separable from the remaining sections.

Sec. 12. Time of taking effect.—This act shall take effect on the 1st day of October, 1913, except as to subdivisions (a), (b), (c), and (d) of section 3, which subdivisions shall take effect as follows:

Subdivisions (b), (c), and (d) of section 3 on the 1st day of October, 1914.

Subdivision (a) of section 3 on the 1st day of October, 1915.

Industrial Diseases—State Board of Health to Investigate Conditions. (Joint Res. Feb. 13, 1913.)

Whereas the employment of men and women in certain occupations is known to be attended with more than ordinary danger to health, giving rise to what is known as "occupational diseases"; and

Whereas unnecessary sickness and shortening of life, from whatever cause, is a serious loss and of grave concern to the State and to all the people; and

Whereas it is believed to be possible, by public education and by the enforcement of proper measures, to largely prevent unnecessary sickness and premature death among employees in various trades and occupations: Therefore,

Be it resolved by the General Assembly of the State of Ohio, That the State board of health is hereby authorized and directed to make a thorough investigation of the effect of occupations upon the health of those engaged therein with special reference to dust and dangerous chemicals and gases, to insufficient ventilation and lighting, and to such other unhygienic conditions as in the opinion of said board may be specially injurious to health, and to report to the next general assembly the results of such investigation, with such recommendations for legislative or other remedial measures as it may deem proper and advisable.

Be it further resolved, That the finance committee of the house and senate be requested to place in the general appropriation bill an appropriation of \$7,000 for the year 1913 and \$7,000 for the year 1914 for carrying on the above work by the State board of health.

Tuberculosis—Hospital Treatment for Indigent Persons. (Act Mar. 11, 1913.)

SECTION 1. That section 3138-1 of the General Code be amended to read as follows:

"Sec. 3138-1. That the board of county commissioners of any county may enter into an agreement with a corporation or association organized for charitable purposes, or if there is no such corporation or association, then with any corporation or association organized for the purpose of maintaining and operating a hospital in any county where a hospital has been established, or may hereafter be established, for the care of the indigent sick and disabled, excepting persons afflicted with pulmonary tuberculosis, upon such terms and conditions as may be agreed upon between said commissioners and such corporation or association, and said commissioners shall provide for the payment of the amount agreed upon, either in one payment or installments, or so much from year to year as the parties stipulate."

SEC. 2. That said original section 3138-1 of the General Code be, and the same is hereby, repealed.

Tuberculosis—Visiting Nurses, Appointment Authorized. (Act May 2, 1913.)

SECTION 1. The medical superintendent of any county or district tuberculosis hospital may appoint, subject to the approval of the State board of health, one or more instructing and visiting nurses who may visit any house or place in the county or district wherein there is a case of tuberculosis. In such counties as have not constructed a county hospital for tuberculosis, or joined in the construction of a district tuberculosis hospital, the county commissioners may appoint one or more instructing and visiting nurses who may visit any home or place in the county wherein there is a case of tuberculosis, but such appointments shall be subject to the approval of the State board of health.

SEC. 2. Such nurses shall be subject to the supervision of the medical superintendent of the county or district tuberculosis hospital and the State board of health. Where such appointments are made by the board of county commissioners, such nurses shall be subject to the supervision of the county commissioners and the State board of health.

SEC. 3. The board of county commissioners in counties not supporting a tuberculosis hospital or the board of trustees of such hospitals shall fix the compensation of such nurses. Such compensation and the necessary expenses incurred by such nurses shall be paid from the poor fund of the county, or from the funds provided for the hospital for tuberculosis.

Tuberculosis—Hospitals for Treatment of. (Act May 3, 1913.)

SECTION 1. That sections 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3151, 3152, and 3153 of the General Code shall be amended so as to read as follows:

"SEC. 3139. On and after January 1, 1914, no person suffering from pulmonary tuberculosis, commonly known as consumption, shall be kept in any county infirmary.

"SEC. 3140. Whenever complaint is made to the State board of health that a person is being kept or maintained in any county infirmary in violation of section 3139 of this act, such State board of health may make arrangements for the maintenance of such person in some hospital or other institution in this State devoted to the care and treatment of cases of tuberculosis, and the cost of removal to, and the cost of maintenance of, such person in such hospital or institution shall become a legal charge against and be paid by the county in which such person has a legal residence. If such person is not a legal resident of this State, then such expense shall be paid by the county maintaining the infirmary from which removal is made.

"SEC. 3141. In any county where a county hospital for tuberculosis has been erected such county hospital for tuberculosis may be maintained by the county commissioners, and for the purpose of maintaining such hospital the county commissioners shall annually levy a tax and set aside the sum necessary for such maintenance. Such sum shall not be used for any other purpose.

"SEC. 3142. An accurate account shall be kept of all moneys received from patients or from other sources, which shall be applied toward the payment of maintaining a tuberculosis hospital. The joint board of commissioners, as hereinafter provided for, may receive, for the use of the hospital, in its name, gifts, legacies, devises, conveyances of real or personal property, or money.

"SEC. 3143. Instead of joining in the erection of a district hospital for tuberculosis, as hereinafter provided for, the county commissioners may contract with the board of trustees, as hereinafter provided for, of a district hospital, the county commissioners of a county now maintaining a county hospital for tuberculosis, or with the proper officer of a municipality where such hospital has been constructed, for the care and treatment of the inmates of such infirmary or other residents of the county who are suffering from pulmonary tuberculosis. The commissioners of the county in which such patients reside shall pay to the board of trustees of the district hospital, or into the proper fund of the county maintaining a hospital for tuberculosis, or into the proper fund of the city receiving such patients the actual cost incurred in their care and treatment and other necessities, and they shall also pay for their transportation: *Provided*, That the county commissioners of any county may contract for the care and treatment of the inmates of the county infirmary or other residents of the county suffering from pulmonary tuberculosis with an association or corporation incorporated under the laws of Ohio for the exclusive purpose of caring for and treating persons suffering from pulmonary tuberculosis; but no such contract shall be made until the institution has been inspected and approved by the State board of health, and such approval may be withdrawn and such contracts shall be canceled if, in the judgment of the State board of health, the institution is not managed in a proper manner: *Provided, however*, That if such approval is withdrawn, the board of trustees of such institution may have the right of appeal to the governor and attorney general, and their decision shall be final.

"SEC. 3144. In any county which has not provided for a county hospital for tuberculosis, or which has not joined in the erection of a district hospital for tuberculosis,

the State board of health, upon a proper presentation of the facts, may order any inmate of the infirmary who is suffering from pulmonary tuberculosis removed to a municipal, county, or district hospital for tuberculosis; but such removal shall not be made without the consent of the inmate if a suitable place outside of the infirmary, approved by the State board of health, is provided for his or her care and treatment. The State board of health, upon a proper presentation of facts, shall also have authority to order removed to a municipal, county, or district hospital for pulmonary tuberculosis any person suffering from pulmonary tuberculosis when, in the opinion of the State or a local board of health, such person is a menace to the public and can not receive suitable care or treatment at home: *Provided, however*, That such person shall have the right to remove from the State.

"Sec. 3145. The medical superintendent shall investigate applicants for admission to the hospital for tuberculosis who are not inmates of the county infirmary and may require satisfactory proofs that they are in need of proper care and have pulmonary tuberculosis. The board of trustees may require from any such applicant admitted from the county or counties maintaining the hospital a payment not exceeding the actual cost incurred in their care and treatment, including necessities and cost of transportation, or such less sum as they may deem advisable, owing to the financial condition of the applicant.

"Sec. 3146. The district hospital for pulmonary tuberculosis, as hereinafter provided for, shall be devoted to the care and treatment of those admitted to the county infirmaries within the district afflicted with pulmonary tuberculosis, and of other residents of the district suffering from the disease and in need of proper care and treatment.

"Sec. 3147. The State board of health shall have general supervision of county and district hospitals for tuberculosis and shall prescribe and may enforce such rules and regulations for their government as it deems necessary. All persons in charge of or employed at such hospitals or residents thereof shall faithfully obey and comply with all such rules and regulations. The location, plans, and estimates of cost for all district hospitals for tuberculosis shall be submitted to and approved by the State board of health and the board of State charities.

"Sec. 3148. The commissioners of any two or more counties not to exceed 10 may form themselves into a joint board for the purpose of establishing and maintaining a district hospital: *Provided*, There is no municipal tuberculosis hospital therein for care and treatment of persons suffering from pulmonary tuberculosis (commonly called consumption), or laryngeal tuberculosis, and may provide the necessary funds for the purchase of a site, which site shall be separate and apart from the infirmary boundaries in any county, and also may provide for the erection of the necessary buildings thereon: *And provided further*, That where any number of counties have already constructed and are operating a district tuberculosis hospital other counties may join such counties for enlargement and use of such hospital. Any new district or addition to a district shall be approved by the State board of health.

"Sec. 3151. Subject to the provisions of this chapter, such board of trustees shall prepare plans and specifications and proceed to erect and furnish the necessary buildings for a district hospital for tuberculosis. They shall appoint a suitable person medical superintendent of the hospital, who shall not be removed except for cause, and, upon the recommendation of the superintendent, such nurses and other employees as may be necessary for the proper conduct of the hospital. The trustees shall fix the compensation of the medical superintendent and other employees. Subject to the rules and regulations prescribed by the board of trustees, the superintendent shall have entire charge and control of the hospital. The trustees shall serve without compensation, but their necessary expenses when engaged in the business of the board shall be paid. The trustees, medical superintendent, or nurses of such hospital

are authorized to attend conferences where the care, treatment, or prevention of pulmonary tuberculosis is a subject for consideration.

"Sec. 3152. The first cost of the hospital and the cost of all betterments and additions thereto shall be paid by the counties comprising the district in proportion to the taxable property of each county outside of a municipality having a tuberculosis hospital as shown by their respective duplicates. To meet the expense incurred in the purchase of a site and for the erection of buildings or for the purpose of enlarging, improving, or rebuilding thereof, the commissioners may borrow such sum or sums of money as may be apportioned to the county, at a rate of interest not to exceed 6 per cent per annum, and issue the bonds of the county to secure the payment of the principal and interest thereof. Such principal and interest shall be paid as provided in section 2435 of the General Code. A statement shall be prepared quarterly showing the per capita daily cost for the current expense of maintaining such hospital, including the cost of the ordinary repairs, and each county in the district shall pay its share of such cost as determined by the number of days the total number of patients from such county have spent in the hospital during the quarter, but the sum paid by patients from such county for their treatment therein shall be deducted from this amount. The boards of commissioners of counties jointly maintaining a district hospital for tuberculosis shall make annual assessments of taxes sufficient to support and defray the necessary expense of maintenance of such hospital.

"Sec. 3153. Such board of trustees shall meet monthly, and at such other times as they deem necessary. On the first Monday in April of each year they shall file with the joint board of county commissioners and with the State board of health an annual report of the operation of such district hospital, including a statement of all receipts and expenditures during the year, and at such time shall certify the amount necessary to maintain and improve the hospital for the ensuing year. The county commissioners maintaining a county hospital for tuberculosis on the first Monday in April of each year shall file with the State board of health an annual report of the operations of such county hospital including a statement of all receipts and expenditures during the year."

SEC. 2. That said original sections 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3151, 3152, 3153 of the General Code are hereby repealed.

School Physicians—Examination of School Children. (Act May 9, 1913.)

SEC. 7692. Each and every board of education in this State may appoint at least one school physician: *Provided*, Two or more school districts may unite and employ one such physician, whose duties shall be such as are prescribed in this act. Said school physician shall hold a license to practice medicine in Ohio. School physicians may be discharged at any time by the appointing power, whether the same be a board of education or of health or health officer, as herein provided. School physicians shall serve one year and until their successors are appointed, and shall receive such compensation as the appointing board may determine. Such boards may also employ trained nurses to aid in such inspection in such ways as may be prescribed by the board. Such board may delegate the duties and powers herein provided for to the board of health or officer performing the functions of a board of health within the school district if such board or officer is willing to assume the same. Boards of education shall cooperate with boards of health in the preventing of epidemics.

SEC. 7692-1. School physicians may make examinations and diagnoses of all children referred to them at the beginning of every school year and at other times if deemed desirable. They may make such further examination of teachers, janitors, and school buildings as in their opinion the protection of health of the pupils and teachers may require. Whenever a school child, teacher, or janitor is found to be ill or suffering from positive open pulmonary tuberculosis or other contagious disease, the school physi-

cian shall promptly send such child, teacher, or janitor home, with a note, in the case of the child, to its parents or guardian, briefly setting forth the discovered facts, and advising that the family physician be consulted. School physicians shall keep accurate card-index records of all examinations; and said records, that they may be uniform throughout the State, shall be according to the form prescribed by the State school commissioner, and the reports shall be made according to the method of said form: *Provided, however,* That if the parent or guardian of any school child or any teacher or janitor after notice from the board of education shall within two weeks thereafter furnish the written certificate of any reputable physician that the child, or teacher, or janitor has been examined, in such cases the services of the medical inspector herein provided for shall be dispensed with, and such certificate shall be furnished by such parent or guardian from time to time, as required by the board of education. Such individual records shall not be open to the public and shall be solely for the use of the boards of education and health or other health officer. If any teacher or janitor is found to have positive open pulmonary tuberculosis or other communicable disease, his or her employment shall be discontinued upon expiration of the contract thereof, or, at the option of the board, suspended upon such terms as to salary as the board may deem just until the school physician shall have certified to a recovery from such disease.

SEC. 7692-2. The State school commissioner and the State board of health, shall jointly pass rules for the detailed enforcement of the purposes of this act, which rules shall bear the seals of said board and commissioner, the said rules to be printed and promulgated by the State printer; promulgation to consist in supplying a reasonable number of copies to each school superintendent, from whom all that are interested may receive copies.

SEC. 7692-3. No member of the board of education in any district in this State shall be eligible to the appointment of school physician during the period for which he or she is elected.

SEC. 7692-4. Each board of education by the affidavit of an officer thereof or otherwise shall prove to the satisfaction of the State school commissioner that it has complied with the requirements of sections 7692, 7692-1, and 7692-2, of the general code.

SEC. 7693. The board of education of any school district may provide and pay compensation to the employees of the board of health in addition to that provided by the city, township, or other municipality.

State Board of Health—Appropriation for. (Act Feb. 28, 1913.)

(The appropriations are for the year ending February 15, 1914.)

Salary of secretary.....	\$3,500
Salary of assistant secretary.....	3,000
Salary of chief engineer.....	3,000
Salary of bacteriologist.....	3,000
Salary of epidemiologist.....	2,000
Salary of State inspector of plumbing.....	1,800
Salaries of four assistant engineers.....	4,800
Salaries of three laboratory assistants.....	4,200
Salary of record clerk.....	1,200
Salary of correspondence clerk.....	1,000
Salaries of three general clerks.....	2,170
Salaries of three stenographers.....	1,980
Salaries of three laboratory helpers.....	1,580
Salary of mailing clerk and messenger.....	600
Salaries of extra clerks.....	720
Apparatus, fittings, and supplies, engineering department and laboratory.....	2,000
Contingent expenses.....	2,000
Office rent.....	2,000
Traveling expenses, inspector of plumbing.....	200

Appropriations—State Board of Health. (Acts May 9, 1913.)

For year ending February 15, 1914. (The principal appropriation act for this year was approved Feb. 28, 1913. This act was published in the Public Health Reports Nov. 7, 1913, p. 2393.)

Expenses of pathological work	\$500
File cases	200
Contingent expenses	1,000
* * * * *	
Per diem and expenses of members of board and employees	3,500
Apparatus, fittings, and supplies, engineering department and laboratory	2,000
Contingent expenses	1,000
Rent of offices	5,328
Traveling expenses, inspector of plumbing	1,000
Division of tuberculosis	20,000
Survey of occupational diseases	7,000

For the fiscal year ending February 15, 1915:

Salary of secretary	\$3,500.00
Salary of assistant secretary	3,000.00
Salary of chief engineer	3,000.00
Salary of bacteriologist	3,000.00
Salary of epidemiologist	2,000.00
Salary of State inspector of plumbing	1,800.00
Salaries of 4 assistant engineers	4,800.00
Salaries of 3 laboratory assistants	4,240.00
Salary of record clerk	1,200.00
Salary of correspondence clerk	1,000.00
Salaries of 3 general clerks	2,160.00
Salaries of 3 stenographers	1,980.00
Salaries of 3 laboratory helpers	1,560.00
Salary of mailing clerk and messenger	660.00
Salaries of extra clerks	720.00
Per diem and expenses of members of board and employees	3,500.00
Apparatus, fittings, and supplies, engineering department and laboratory	2,500.00
Contingent expenses	3,000.00
File cases	300.00
Rent of offices	7,328.40
Traveling expenses, inspector of plumbing	1,200.00
Expenses of pathological work	500.00
Division of tuberculosis	20,000.00
Survey of occupational diseases	7,000.00

Municipal Boards of Health—Duties and Salaries of Employees. (Act May 5, 1913.)

SECTION 1. That section 4411 of the General Code be supplemented by the enactment of section 4411-1, to read as follows:

"SEC. 4411-1. The board shall determine the duties and fix the salaries of its employees; but no member of the board of health shall be appointed as health officer or ward physician."

Foods and Drugs—Standards—Enforcement of Laws. (Act Mar. 29, 1913.)

SECTION 1. That section 375 of the general code be amended to read as follows:

"SEC. 375. The State dairy and food commissioner shall enforce the laws against fraud, adulteration, or impurities in foods, drinks, or drugs, and unlawful labeling within the State. The State dairy and food commissioner, in collaboration with the official chemists of the State dairy and food department, shall establish standards of quality, purity, and strength for foods, when such standards are not otherwise established by any law of this State. Such standards shall conform to the standards for foods adopted by the United States Department of Agriculture. The State dairy and food commissioner, in collaboration with the official chemists of the State dairy

and food department, shall make such uniform rules and regulations as may be necessary for the enforcement of the food, drug, dairy, and sanitary laws of this State. Such rules and regulations shall, where applicable, conform to, and be the same as, the rules and regulations adopted from time to time for the enforcement of the act of Congress, approved June 30, 1906, and known as the food and drugs act. The State dairy and food commissioner, each assistant commissioner, and each inspector shall inspect drugs, butter, cheese, lard, sirup, and other articles of food or drink, made or offered for sale in the State, and prosecute or cause to be prosecuted each person, firm, or corporation engaged in the manufacture or sale of an adulterated drug or article of food or drink, in violation of law."

SEC. 2. That said original section 375 of the General Code be, and the same is hereby, repealed.

Drugs—Misbranding of. (Act Mar. 29, 1913.)

SECTION 1. That section 5784 of the General Code be amended to read as follows:

"SEC. 5784. A drug shall be misbranded within the meaning of this chapter: (1) If the package fails to bear a statement on the label of the quantity or proportion of grain or ethyl alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, or any derivative or preparation of such substances contained therein, provided, that the provisions of this section shall not apply to the prescriptions of regular licensed physicians, dentists, and doctors of veterinary medicine, nor to such drugs and preparations as are officially recognized in the eighth decennial revision of the United States Pharmacopoeia, or the third edition of the National Formulary, and which are sold under the name by which they are so recognized; (2) if the package containing it or any label thereon bears a statement, design, or device regarding it or the ingredients or substances contained therein, which is false or misleading in any particular; (3) if the package containing it or any label thereon bears or contains any statement, design, or device regarding the curative or the therapeutic effect of such article or any of the ingredients or substances contained therein, which is false and fraudulent."

SEC. 2. That said original section 5784 of the General Code be and the same is hereby repealed.

Births and Deaths—Registration of. (Act Apr. 24, 1913.)

SECTION 1. That sections 198, 218, 219, 220, 225, and 226 of the General Code of Ohio be, and the same are hereby, amended to read as follows:

"SEC. 198. The secretary of state shall prescribe methods, forms, and blanks and furnish necessary postage for obtaining registration of births and deaths in each district and of preserving the records thereof and those of the central bureau. He shall enforce the provisions of this chapter thoroughly and uniformly throughout the State, and from time to time shall recommend necessary legislation for that purpose. He shall provide for necessary clerical and other assistance to carry out the provisions of this chapter. No system of registration of births and deaths in municipalities in conflict with this chapter shall be maintained or continued.

"SEC. 218. Each birth that occurs in the State shall be immediately registered in the district in which it occurs, as hereinafter provided. Within 10 days thereafter the attending physician or midwife shall file with the local registrar of the district in which the birth occurred a certificate of birth, properly and completely filled out, giving all the particulars herein required. If there be no attending physician or midwife, the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institutions in which the birth occurred, shall notify the local registrar within 10 days thereafter of such birth having occurred. In such case the local registrar shall secure the necessary information and signature to make a proper certificate of birth.

"In case the attending physician or midwife certifies as provided in section 219, that he or she does not possess and can not obtain without an independent inquiry the information necessary to fill out items Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, and 18 of the certificate required by section 219, the local registrar shall secure the necessary information to properly fill out such omitted items in such certificate from the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, or other person qualified to supply such information, and shall properly fill out the omitted items of said certificate with the information so obtained, and the person from whom such information is obtained shall sign a statement indorsed on such certificate that he or she furnished the information necessary to fill out the items omitted by the attending physician or midwife.

"Sec. 219. The certificate of birth shall contain the following items:

"(1) Place of birth; including State, county, township, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name thereof instead of the street and house number.

"(2) Full name of the child. If the child dies without a name before the certificate is filed, enter the words "died unnamed." If the living child has not been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

"(2a) Full name of mother.

"(3) Sex of child.

"(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in a case of plural birth, giving number of child in order of birth.

"(5) Whether legitimate or illegitimate.

"(6) Full name of father, except in the case of illegitimate births.

"(7) Residence of father.

"(8) Color or race of father.

"(9) Birthplace of father.

"(10) Age of father at last birthday, in years.

"(11) Occupation of father.

"(12) Maiden name of mother, in full.

"(13) Residence of mother.

"(14) Color or race of mother.

"(15) Birthplace of mother.

"(16) Age of mother at last birthday, in years.

"(17) Occupation of mother.

"(18) Number of child of this mother, and number of children of this mother now living.

"(19) Certificate of attending physician or midwife as to attendance at birth; including statement of year, month, day, and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attending physician or midwife, with date of signature and address.

"If the physician or midwife does not possess and can not obtain without an independent inquiry the information necessary to supply items 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, and 18 of said certificate, said physician or midwife shall so certify in said certificate. If there is no physician or midwife in attendance, or if the physician or midwife in attendance certifies that he or she does not possess and can not obtain without an independent inquiry the information necessary to fill out items Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, and 18 of such certificate, then such certificate, or portion of the same not filled out by the physician or midwife, shall be signed by the father or mother of the child, householder or owner of the premises, or manager or

superintendent of public or private institution, or other competent person whose duty it shall be to notify the local registrar of such birth, as required by the preceding section.

"(20) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

"SEC. 220. All certificates, either of birth or death, shall be written legibly, in unfading ink. No certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission, as provided by law.

"SEC. 225. The State registrar shall carefully examine the monthly certificates from the local registrars, and shall secure such further information as may be necessary to make the record complete and satisfactory. He shall arrange, bind, and permanently preserve the certificates in a systematic manner. He shall maintain a card index of all births and deaths registered, to show the name of child, or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained.

"SEC. 226. The local registrar shall supply blank forms of certificates and stamped and addressed envelopes to such persons as require them. He shall require each certificate of birth or death when presented for record to be made out in accordance with law and the instructions of the State registrar. If a certificate of death is incomplete or unsatisfactory, he shall indicate the defects therein and withhold the burial or removal permit until corrected. If the certificate of death is properly executed and complete, he shall issue a burial or removal permit to the undertaker."

SEC. 2. That said original sections 198, 218, 219, 220, 225, and 226 of the General Code be, and the same are hereby, repealed.

Interurban Cars—Water-Closets and Drinking Water Must be Provided. (Act Mar. 11, 1913.)

SECTION 1. Whoever engages in the operating of interurban car or cars, for a greater distance than 10 miles, and does not place and maintain within such car or cars, so run or operated, a water-closet or dry-hopper closet, properly and sanitarily constructed, and suitable drinking water for the use of the passengers of such car or cars, shall be fined not less than \$500 nor more than \$1,000.

Cattle—Importation of—Inspection for Disease—Certificates. (Act Apr. 23, 1913.)

SECTION 1. That the importation of all dairy cows and neat cattle for breeding purposes into the State of Ohio is hereby prohibited, excepting when such cows and neat cattle are accompanied by a certificate from a duly qualified veterinarian who is a graduate of a recognized veterinary college in the United States, Canada, or Europe, and whose competency and reliability are certified to by the authorities charged with the control of the diseases of domestic animals in the State whence the cattle came certifying that they are free from tuberculosis and other infectious disease of a malignant character and that they have been properly examined and subjected to the tuberculin test. Tuberculin test certificates must contain temperature records as required by the regulations of the United States Bureau of Animal Industry or as may from time to time be prescribed by the State board of live stock commissioners, and all such inspections, examinations, and tuberculin tests must be made within six weeks prior to the importation into this State.

SEC. 2. That in lieu of an inspection certificate, as above required, the cattle may be detained at suitable stockyards nearest to the State line on the railroad over which they are shipped, and there examined at the expense of the owner by a veterinarian qualified as above, whose competency and reliability are certified to by the authorities charged with the control of the diseases of domestic animals in the State in which such stockyards are located; or cattle as above specified from points outside of the

State may, under such restrictions as may be prescribed by the State board of live stock commissioners, be shipped in quarantine to their destination in Ohio, there to remain in quarantine until so examined at the expense of the owner, and released by the State board of live stock commissioners.

SEC. 3. The State board of live stock commissioners is hereby charged with the enforcement of this act, and is authorized to see that its provisions are obeyed, to prescribe official forms to be used for certificates, tags for identification of animals, and to make, from time to time, such rules and regulations as may be necessary and proper for its enforcement. The rules and regulations of said State board of live stock commissioners, when so prescribed and adopted, shall be duly published, and notice given of the same according to law.

SEC. 4. The failure of any individual, company, or corporation to comply with the rules of the State board of live stock commissioners, or to respect its regulations with regard to diseased animals when so prescribed and adopted as aforesaid, shall subject the offender to a penalty of not less than \$50 nor more than \$500, to be recovered by civil action in the county in which such persons have their residence or principal place of business. A person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$50 nor more than \$200; such fines and penalties to be collected in the name of the State of Ohio. All moneys recovered by civil action as provided for in this section shall be paid into the State treasury and be accredited to the agricultural fund.

SEC. 5. It shall be the duty of the attorney general or any county prosecuting attorney to prosecute all violations of this act when so requested by the State board of live stock commissioners.

OREGON.

Tuberculosis—Notification of Cases—Control of. (Chap. 115, Act Feb. 25, 1913.)

SECTION 1. That every physician or other person practicing the art of healing shall file with the State board of health a written report giving the names and addresses of all persons afflicted with pulmonary tuberculosis (consumption), concerning which he or she may be consulted as soon as the nature of the disease is determined.

SEC. 2. That any representative of a religious denomination, or any householder, or any nurse, parent, guardian, or other person attending or in any way having knowledge of the existence of a case of pulmonary tuberculosis (including the person afflicted therewith) must immediately report the same to the State board of health.

SEC. 3. The names and addresses of all persons afflicted with pulmonary tuberculosis shall be recorded in the State board of health, and it shall be unlawful for any person suffering from this disease to change his or her residence or to be removed therefrom until the State board of health has been notified, so that the vacated residence may be fumigated.

SEC. 4. It shall be the duty of any physician or any representative of a religious denomination, or any householder, nurse, parent, guardian, or other person having knowledge of a change of residence of any person afflicted with pulmonary tuberculosis to report the same to the State board of health.

SEC. 5. No furniture, bedding, or other material used by a person afflicted with pulmonary tuberculosis shall be sold, delivered, or used by any other person until such furniture, bedding, or material has been fumigated. Fumigation or disinfection shall be in accordance with rules prescribed by the State board of health.

SEC. 6. Any person owning a house rented to or occupied by a person afflicted by tuberculosis shall fumigate or disinfect the same forthwith upon the leaving of the house by such person.

SEC. 7. No books shall be loaned from a public library to any person afflicted with pulmonary tuberculosis or to any person living in a residence where a case of pulmonary tuberculosis exists.

SEC. 8. Any person violating any of the provisions of this act shall, upon conviction thereof, be fined not more than \$300 for each offense or be imprisoned in the county jail not more than one year, or be punished by both such fine and imprisonment, in the discretion of the court.

Marriage—Certificate of Health Required. (Chap. 187, Act Feb. 26, 1913.)

SECTION 1. That before any county clerk in this State shall issue a marriage license the applicant therefor shall file with the clerk from whom such license is sought, a certificate from a physician duly authorized to practice medicine within the State, made under oath, within 10 days from the date of filing the same, showing that the male person thus seeking to enter the marriage relation is free from contagious or infectious venereal disease.

SEC. 2. Any physician who shall knowingly and willfully make any false statement in any certificate issued, as herein provided, shall be punished by the revocation of his license to practice his profession within the State.

SEC. 3. All fees and charges for any physician making the necessary examination of and issuing the necessary certificate to any one party, as herein provided, shall not exceed the sum of \$2.50.

SEC. 4. The county physicians of the several counties shall, upon request, make the necessary examination and issue such certificate, if the same can properly be issued, without charge to the applicant, if indigent.

Wayward Girls—Institutions Caring for, and Receiving State Aid, Placed Under State Board of Health. (Chap. 362, Act Mar. 1, 1913.)

SECTION 1. There is hereby appropriated \$10,000 annually out of any funds in the hands of the State treasurer not otherwise appropriated for the support of wayward girls between the ages of 12 and 18 years now being cared for or who may be hereafter cared for by charitable or corrective institutions in this State.

SEC. 2. Any charitable or corrective institution in this State wishing to secure State aid under this act shall make application therefor to the State board of health, in and by which application such institution shall show how many girls of the class mentioned in section 1 it cared for during each month of the preceding calendar year, and shall state how long it has been engaged in this State in caring for girls of said class, and shall declare its willingness to submit to any reasonable health and sanitary rules and regulations prescribed by said State board of health. Upon receiving such application the State board of health shall investigate the affairs of and methods of and conditions surrounding such institution, and shall, if it finds such institution is properly conducted and worthy of State aid, give it a certificate to that effect and file and send a duplicate of such certificate to the secretary of state.

SEC. 3. The State board of health is hereby given visitorial powers over all institutions which receive State aid under this act; and each such institution shall, on or before the 15th day of January of each year file with the secretary of the State board of health a financial and statistical report and statement for the preceding calendar year in such form as may be prescribed by said State board of health, and each such institution shall submit to and abide by any reasonable health and sanitary rules and regulations that may be prescribed by said State board of health; and if any such institution fails to comply with any of the provisions of this section said State board of health shall notify the secretary of state of such refusal and such institution shall not thereafter be entitled to any benefits or payments under this act until such failure has ceased.

SEC. 4. Each institution which has received from the State board of health a certificate provided for in section 2 of this act shall be entitled to receive from and out of the appropriation made by section 1 of this act State aid at the rate of \$8 per month for each girl of the class mentioned in said section. All sums to which any such institution becomes entitled under this act shall be paid quarter yearly, to wit: For the quarters ending on the last days of March and June and September and December of each year. Each institution shall present to the secretary of state an itemized statement showing the names and ages of the different girls kept and maintained by it during the quarter and the length of time each girl was so kept and maintained and the amount to which it is entitled for each such girl and the gross amount it is entitled to for the quarter, but before being presented to the secretary of state, said statement must have been presented to and approved by the secretary of the State board of health. Upon receipt of said statement so approved the secretary of state shall issue a warrant upon the State treasurer in favor of said institution for the amount to which it is entitled for the quarter covered by said statement.

SEC. 5. No institution which receives from the State of Oregon any direct and specific appropriation of money shall be entitled to receive any State aid under this act for any period covered by such appropriation; and no institution shall be entitled to any State aid under this act until it has had an actual bona fide existence of at least six months; and no institution which has less than 10 bona fide inmates of the class mentioned in section 1 of this act shall be entitled to any State aid under this act; and no girl for whose specific support any sum is paid to any institution by any person whatever shall, for any part of the period for which such sum is paid, be deemed a wayward girl within the meaning of this act.

SEC. 6. Sections 4401, 4402, 4403, 4404, and 4405 of Lord's Oregon Laws, and all acts or parts of acts in conflict herewith are hereby repealed.

PENNSYLVANIA.

Morbidity Reports—Scabies—Impetigo Contagiosa. (Reg. Bd. of H., Jan. 3, 1913.)

Fifth. All physicians practicing within the limits of the State shall make an immediate report of each and every case of scabies and impetigo contagiosa.

Ophthalmia Neonatorum—Reporting of Cases and of Treatment Required. (Act 295, June 5, 1913.)

SECTION 1. That every physician practicing in any portion of this Commonwealth who shall treat or examine any infant suffering from ophthalmia neonatorum (inflammation of the eyes of infants) shall, if the said case be located in a township of the first class, a borough, or a city, forthwith make a report in writing to the health authorities of said township, city, or borough; and, if said case shall be located in a township of the second class, or a city, borough, or township of the first class, not having a board of health, or body acting as such, to the State department of health, upon blanks supplied for that purpose; in which report he shall, under his or her own signature, state the name of the disease, and the name, age, sex, color, and nativity of the infant suffering therefrom, together with the street and house number of the premises in which said infant may be located, or otherwise sufficiently designate the same, the date of the onset of the disease, the name and occupation of the householder in whose family the disease may have occurred; together with such other information relating to said case as may be required by said health authorities and the State department of health.

SEC. 2. That any midwife, or nurse, or other person having the care of an infant whose eyes have become inflamed or swollen or reddened at any time within two weeks after birth, shall report the same, in writing, to the health authorities of the city, borough, or township of the first class in which the case may be located; or, if it be located in a township of the second class, or a city, borough, or township of the first class, not having a board of health, or body acting as such, the State department of health, within six hours after the discovery thereof, giving the name of the infant, the names of the parents or guardians, and the street and number of their residence, or otherwise sufficiently designate the same, together with the fact that such inflammation or swelling or redness exists, and shall make a similar report in writing to some regularly qualified practicing physician of the district.

SEC. 3. That it shall be the duty of the said health authorities or the State department of health, immediately upon receipt of a written report from a midwife or a nurse, or person other than a practicing physician, to notify the parents or guardian, or other person having charge of the infant, of the danger to the eyes or eye of said infant by reason of any neglect of proper treatment of the same.

SEC. 4. Every physician in this Commonwealth who shall treat any infant's eyes for ophthalmia neonatorum (inflammation of the eyes of an infant) shall, within 48 hours after said physician ceases treatment of or attendance upon such case of ophthalmia neonatorum, report to the commissioner of health of the Commonwealth of Pennsylvania that said physician has treated a certain case of ophthalmia neonatorum, giving full information as required in section 1 of this act, stating that he has ceased treatment of or attendance upon said

case, and what was condition of infant's eyes when physician ceased treatment of or attendance upon said case of ophthalmia neonatorum.

SEC. 5. Every health officer shall furnish a copy of this act to every person who is known to him to act as a midwife or nurse in the city, borough, or township for which he is health officer; and the commissioner of health of this Commonwealth of Pennsylvania shall cause a sufficient number of copies of this act to be printed and supplied to the health officers.

SEC. 6. Any physician, midwife, nurse, or other person who shall violate any of the provisions of this act shall, upon conviction thereof in a summary proceeding before any justice of the peace or alderman of the county wherein such offense was committed, be sentenced to pay a fine of not less than \$20 or more than \$100, to be paid to the use of the said county, and the costs of prosecution, or to be imprisoned in the county jail for a period of not less than 10 or more than 30 days, or both, at the discretion of the court.

SEC. 7. An "Act for the prevention of blindness, imposing a duty upon all midwives, nurses, or other persons having the care of infants, and also upon the health officers, and fixing penalties for neglect thereof," approved the 26th day of June, A. D. 1895, be, and the same is hereby, repealed.

Industrial Diseases—Prevention of—Blowers Required. (Act 447, July 24, 1913.)

SECTION 1. *Be it enacted, etc.,* That all persons, companies, or corporations operating any factory or workshop where emery wheels or emery belts of any description are used, either solid emery, leather, leather-covered, felt, canvas, linen, paper, cotton, or wheels or belts rolled or coated with emery or corundum, or cotton wheels used as buffs, shall provide the same with blowers or similar apparatus which shall be placed over, beside, or under such wheels or belts in such a manner as to protect the person or persons using the same from the particles of dust produced and caused thereby, and to carry away the dust arising from or thrown off by such wheels or belts while in operation directly to the outside of the building or to some receptacle placed so as to receive and confine such dust: *Provided*, That grinding machines upon which water is used at the point of the grinding contact shall be exempt from the provisions of this act: *And provided*, That this act shall not apply to factories or workshops where men are not employed continuously at such wheels or belts more than 3 hours in 24 hours.

SEC. 2. It shall be the duty of any person, company, or corporation operating any such factory or workshop to provide or construct such appliances, apparatus, machinery, or other things necessary to carry out the purpose of this act, as set forth in the preceding section, as follows: Each and every wheel shall be fitted with a sheet of case iron, or hood or hopper, of such form, and so applied to such wheel of wheels, that the dust or refuse therefrom will fall from such wheels, or will be thrown into such hood or hopper by centrifugal force, and be carried off by the current of air into a suction pipe attached to same hood or hopper.

SEC. 3. This act shall become operative on the 1st day of January, 1914.

SEC. 4. The inspectors of the department of labor and industry are hereby authorized to enter and inspect all factories and workshops, for the purpose of enforcing the provisions of this act.

SEC. 5. Any person or persons, or company, or managers or directors of any company or corporation, who shall have the charge or management of any factory or workshop, who shall fail to comply with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 and not exceeding \$300.

Industrial Diseases—Prevention of. (Act 851, July 26, 1913.)

SECTION 1. That every employer shall, without cost to the employees, provide reasonably effective devices, means, and methods to prevent the contraction by

his employees of any illness or disease incident to the work or process in which such employees are engaged in the industries and occupations specified in section 2 of this act.

SEC. 2. Every work or process in the manufacture of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate, or fluosilicate is hereby declared to be especially dangerous to the health of the employees who, while engaged in such work or process, are exposed to lead dusts, lead fumes, or lead solutions.

SEC. 3. Every employer shall, without cost to the employees, provide the following devices, means, and methods for the protection of his employees who, while engaged in any work or process included in section 2, are exposed to lead dusts, lead fumes, or lead solutions:

(a) The employer shall provide and maintain workrooms adequately lighted and ventilated and so arranged that there is a continuous and sufficient change of air; and all such rooms shall be fully separated by partition walls from all departments in which the work or process is of nondusty character; and all such rooms shall be provided with a floor permitting an easy removal of dust by wet methods or vacuum cleaning, and all such floors shall be so cleaned daily. Every work or process referred to in section 2, including the corroding or oxidizing of lead and the crushing, mixing, sifting, grinding, and packing of all lead salts or other compounds referred to in section 2, shall be so conducted and such adequate devices provided and maintained by the employer as to protect the employee as far as possible from contact with lead dust or lead fumes. Every kettle, vessel, receptacle, or furnace in which lead in any form referred to in section 2 is being melted or treated and any place where the contents of such kettles, receptacles, or furnaces are discharged shall be provided with a hood connected with an efficient air exhaust; all vessels or containers in which dry lead in any chemical form or combination referred to in section 2 is being conveyed from one place to another within the factory shall be equipped, at the places where the same are filled or discharged, with hoods having connection with an efficient air exhaust; and all hoppers, chutes, conveyers, elevators, separators, vents from separators dumps, pulverizers, chasers, dry pans, or other apparatus for drying pulp lead, dry pans, dump, and all barrel packers and cars, or other receptacles into which corrosions are at the time being emptied shall be connected with an efficient dust-collecting system, such system to be regulated by the discharge of air from a fan, pump, or other apparatus, either through a cloth dust collector, having an area of not less than one-half square foot of cloth to every cubic foot of air passing through it per minute, the dust collector to be placed in a separate room, which no employee shall be required or allowed to enter except for essential repairs while the works are in operation, or such other apparatus as will efficiently remove the lead dusts from the air of the workrooms.

(b) The employer shall provide a wash room or rooms, which shall be separate from the workrooms, be kept clean, and be equipped with:

(1) Lavatory basins, fitted with waste pipes and two spigots conveying hot and cold water; or

(2) Basins placed in troughs fitted with waste pipes, and for each basin two spigots conveyings hot and cold water; or

(3) Troughs of enamel, or similar smooth impervious material, fitted with waste pipes, and for every 2 feet of trough length two spigots conveying hot and cold water.

Where basins are provided there shall be at least one basin for every five such employees, and where troughs are provided, at least 2 feet of trough length for every five such employees. The employer shall also furnish nail-

brushes and soap, and shall provide at least three clean towels per week for each such employee. A time allowance of not less than 10 minutes, at the employer's expense shall be made to each such employee for the use of said washroom before the lunch hour and at the close of the day's work.

The employer engaged in the manufacture of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate, or fluosilicate shall also provide at least one shower bath for every 10 such employees. The baths shall be approached by wooden runways, be provided with movable wooden floor gratings, be supplied with controlled hot and cold water, and be kept clean. The employer shall furnish soap and shall provide at least two clean bath towels per week for each such employee. An additional time allowance of not less than 10 minutes, at the employer's expense, shall be made to each such employee for the use of said baths, at least twice a week, at the close of the day's work. The employer shall keep a record of each time that such baths are used by each employee, which record shall be open to inspection at all reasonable times by the State department of labor and industry and also by the State department of health.

(c) The employer shall provide a dressing room or rooms, which shall be separate from the workrooms, be furnished with a double sanitary locker or two single sanitary lockers for each such employee, and be kept clean.

(d) The employer shall provide an eating room or eating rooms, which shall be separate from the workrooms, be furnished with a sufficient number of tables and seats, and be kept clean. No employee shall take, or be allowed to take, any food or drink of any kind into any workroom, nor shall any employee remain, or be allowed to remain, in any workroom during the time allowed for his meals.

(e) The employer shall provide and maintain a sufficient number of sanitary drinking fountains, readily accessible for the use of employees.

(f) The employer shall provide at least one pair of overalls and one pair of jumpers for each such employee and repair or renew such clothing when necessary and wash the same weekly.

(g) The employer shall provide and renew, when necessary, at least one reasonably effective respirator for each employee who is engaged in any work or process included in section 2.

SEC. 4. Every employee who, while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes, or lead solutions, shall—

(a) Use the washing facilities provided by the employer in accord with section 3 (b), and wash himself at least as often as a time allowance is therein granted for such use;

(b) Use the eating room provided by the employer in accord with section 3 (d), unless the employee goes off the premises for his meals;

(c) Put on, and wear at all times while engaged in such work or process, a suit of the clothing provided by the employer in accord with section 3 (f), and remove the same before leaving at the close of the day's work, and keep his street clothes and his working clothes, when not in use, in separate lockers or separate parts of the locker provided by the employer in accord with section 3 (c);

(d) Keep clean the respirators provided by the employer in accord with section 3 (g), and use one at all times while he is engaged in any work or process included in section 2 of this act.

SEC. 5. The employer shall post in a conspicuous place in every workroom where any work or process included in section 2 is carried on, in every room where washing facilities are provided, and in every dressing room and eating room, a notice of the known dangers arising from such work or process, and

simple instructions for avoiding as far as possible such dangers. The commission of labor and industry shall prepare a notice containing the provisions of this act, and shall furnish free of cost a reasonable number of copies thereof to every employer included in section 2, and the employer shall post copies thereof in the manner hereinbefore stated. The notices required in this section shall be printed in plain type, on cardboard, and shall be in English and in such other languages as the circumstances may reasonably require. The contents of such notices shall be explained to every employee by the employer when the said employee enters employment in such work or process, interpreters being provided by the employer when necessary to carry out the above requirements.

SEC. 6. The employer shall cause every employee who, while engaged in any work or process included in section 2, is exposed to lead dusts, lead fumes, or lead solutions, to be examined at least once a month, for the purpose of ascertaining if symptoms of lead poisoning appear in any employee. The employee shall submit himself to the monthly examination and to examination at such other times and places as he may reasonably be requested by the employer, and he shall fully and truly answer all questions bearing on lead poisoning asked him by the examining physician. The examinations shall be made by a licensed physician designated and paid by the employer and shall be made during the working hours, a time allowance therefor at the employer's expense being made to each employee so examined.

SEC. 7. Every physician making an examination under section 6 and finding what he believes to be symptoms of lead poisoning shall enter, in a book kept for that purpose in the office of the employer, a record of such examination, containing the name and address of the employee so examined, the particular work or process in which he is engaged, the date, place, and finding of such examination, and the directions given in each case by the physician. The record shall be open to inspection at all reasonable times by the State department of labor and industry and by the State department of health. Within 48 hours after such examination and finding the examining physician shall send a report thereof, in duplicate—one copy to the State department of labor and industry and one to the State department of health. The report shall be on, or in conformity with, blanks to be prepared and furnished by the State department of health, free of cost, to every employer included in section 2, and shall state (a) name, occupation, and address of employee; (b) name, business, and address of employer; (c) nature and probable extent of disease; and (d) such other information as may be reasonably required by the State department of health. The examination physician shall also within the said 48 hours report such examination and finding to the employer; and after five days from such report the employer shall not continue the said employee in any work or process where he will be exposed to lead dusts, lead fumes, or lead solutions included in section 2 of this act.

SEC. 8. The State department of labor and industry shall enforce this act and prosecute all violations of the same. The officers, or their agents, of the said department shall be allowed at all reasonable times to inspect any place of employment included in this act. Every employer who, either personally or through any agent, violates or fails to comply with any provision of section 1 or section 3 shall be guilty of a misdemeanor and, on conviction for the first offense, shall be sentenced to pay a fine of not less than \$100 nor more than \$200, and on conviction for a second offense shall be sentenced to pay a fine of not less than \$200 nor more than \$500, and on conviction for each subsequent offense shall be sentenced to pay a fine of not less than \$300 nor more than \$1,000; and in each case he shall stand committed until such fine and the costs

are paid, or until he is otherwise discharged by due process of law. Every employee who violates or fails to comply with any provision of section 4 shall be guilty of a misdemeanor and, on conviction for the first offense, shall be sentenced to pay a fine of not less than \$10 nor more than \$20, and on conviction for the second offense shall be sentenced to pay a fine of not less than \$20 nor more than \$50, and on conviction for each subsequent offense not less than \$30 nor more than \$100; and in each case he shall stand committed until such fine and the costs are paid, or until he is otherwise discharged by due process of law. Every employer who, either personally or through any agent, violates or fails to comply with any provision of sections 5, 6, or 7 relating to him, and every employee who violates or fails to comply with the provisions of section 6 relating to him, shall be guilty of a misdemeanor and, on conviction thereof, shall be sentenced to pay a fine of not less than \$10 nor more than \$100.

SEC. 10. In this act, unless the context otherwise requires, "employer" includes persons, firms, partnerships, limited partnerships, and corporations.

SEC. 11. For the purpose of determining the constitutionality of any provision of this act section 1 hereof is declared to be independent of and separable from the remaining sections.

SEC. 12. This act shall take effect on the 1st day of October, 1913, except as to subdivisions (a), (b), (c), and (d) of section 3, which subdivisions shall take effect as follows:

Subdivisions (b), (c), and (d) of section 3, on the 1st day of October, 1914;
Subdivision (a) of section 3, on the 1st day of October, 1915.

Appropriations. (Act 407, July 16, 1913.)

The appropriations are for two fiscal years, June 1, 1913, to May 31, 1915.

Quarantine physician, Philadelphia.

For the payment of the salary of the quarantine physician.....	\$10,000
For the payment of the salaries of 2 deputy maritime physicians.....	8,000
For the payment of the salary of the quarantine messenger, two years.....	2,000
For the payment of the salaries of 8 shore employees, including nurse (\$12,770), approved by the governor for.....	10,770
For the payment of the salaries of 9 employees on the boat (\$14,750), approved by the governor for.....	12,750
For the payment of insurance on the boat and launch.....	900
For maintenance of the boat, including fuel (\$10,000), approved by the governor for.....	5,000
For maintenance of all employees, including uniforms and caps.....	8,000
For the purchase of drugs.....	600
For the purchase of coal for heating shore buildings.....	2,500
For maintenance of the office, including \$1,000 for service of maritime exchange in reporting all incoming and outgoing vessels, rent and care of office, stationery, telephone and telegraph service, and for like expenses at the office at Marcus Hook.....	4,500
For maintenance of the quarantine station, including all supplies, repairs, water and gas supply, labor, painting, plumbing, carpenter work, feed for horses, necessary improvements and additions to buildings, new buildings, and any and all expenses incident to maintaining the grounds and buildings and the furnishing and equipping of the same, as well as repairs to wharf and tramway (\$20,980), approved by the governor for.....	15,980
	<u>81,000</u>

Health officer, Philadelphia.

For the payment of the salary of the health officer.....	10,000
For the payment of the salary of the clerk to the health officer.....	2,400
For the payment of the rent and care of the office of the health officer, telephone and messenger and stationery (\$2,640), approved by the governor for.....	1,640
	<u>14,040</u>

Department of health.

For the payment of the salary of the commissioner of health.....	\$20,000
For the payment of the salaries of the assistant to the commissioner, secretary, general inspector, auditor, stenographers, clerks, and other general employees.....	31,800
	<u>51,800</u>

MEDICAL DIVISION.

For the payment of the salary of the chief medical inspector.....	8,000
For the payment of the salary of the associate chief medical inspector.....	7,000
For the payment of the salary of the assistant chief medical inspector.....	5,000
For the payment of the salary of a chief clerk of medical school inspection.....	3,000
For the payment of the salary of 5 stenographers.....	8,640
For the payment of the salary of 12 clerks.....	17,280
	<u>48,920</u>

LABORATORIES AND EXPERIMENTAL STATION.

For the payment of the salary of the chief of the laboratories.....	6,000
For the payment of the salary of the bacteriologist.....	4,560
For the payment of the salary of 2 technical assistants.....	5,040
For the payment of the salary of 2 stenographers.....	3,120
For the payment of the salary of 3 clerks.....	3,840
For the payment of the salary of 4 laboratory helpers.....	5,520
	<u>28,080</u>

DIVISION OF DISTRIBUTION OF BIOLOGICAL PRODUCTS.

For the payment of the salary of the chief of the division.....	6,000
For the payment of the salary of a bookkeeper.....	1,920
For the payment of the salary of 2 stenographers.....	3,360
For the payment of the salary of 1 clerk.....	1,440
	<u>12,720</u>

BUREAU OF VITAL STATISTICS.

For the payment of the salary of the State registrar of the bureau of vital statistics.....	5,000
For the payment of the additional salary of the State registrar of the bureau of vital statistics, conditioned upon the approval by the governor of Senate bill No. 737.....	1,000
For the payment of the salary of the chief clerk of the bureau of vital statistics.....	4,000
For the payment of the salary of the classification clerk.....	3,600
For the payment of the salary of the returns clerk.....	3,000
For the payment of the salary of the search clerk.....	2,400
For the payment of the salary of 8 stenographers.....	12,480
For the payment of the salary of 5 clerks.....	7,200
	<u>38,680</u>

MARRIAGE AND MORBIDITY STATISTICS.

For the payment of the salary of the supervisor of morbidity and marriage statistics.....	2,000
For the payment of the salary of 9 clerks on morbidity and marriage statistics.....	12,960
	<u>14,960</u>

SANITARY ENGINEERING DIVISION.

For the payment of the salary of the chief engineer of the sanitary engineering division.....	12,000
For the payment of the salary of the assistant engineer in charge of general office work.....	5,000
For the payment of the salary of the first assistant engineer on waterworks and sewerage.....	5,000
For the payment of the salary of the assistant engineer on tests of water and sewerage treat- ment plants.....	5,000
For the payment of the salary of the assistant engineer in charge of design and construction...	7,000
For the payment of the salary of the assistant engineer on waterworks and sewerage.....	3,600
For the payment of the salary of 4 assistant engineers.....	14,200
For the payment of the salary of the chief field inspector.....	5,000
For the payment of the salary of 10 stenographers.....	16,800
For the payment of the salary of 9 clerks.....	16,200
For the payment of the salary of 12 draftsmen and map tracers.....	25,400
	<u>115,200</u>

DIVISION OF ACCOUNTING AND PURCHASING.

For the payment of the salary of the chief of the division of accounting and purchasing	\$8,000
For the payment of the salary of 4 bookkeepers.....	8,960
For the payment of the salary of 16 clerks.....	23,400
For the payment of the salary of 4 stenographers.....	6,720
	<u>47,080</u>

DIVISION OF SUPPLIES.

For the payment of the salary of the superintendent of division of supplies.....	4,500
For the payment of the salary of a stenographer.....	1,800
For the payment of the salary of 3 clerks.....	4,320
For the payment of the salary of a janitor.....	1,560
	<u>12,180</u>

DISPENSARIES.

For the payment of the salary of the chief of the division of dispensaries.....	7,500
For the payment of the salary of the lecturer and manager of the tuberculosis exhibit.....	6,000
For the payment of the salary of a deputy medical inspector.....	4,000
For the payment of the salary of a visiting nurse.....	3,000
For the payment of the salary of an assistant visiting nurse.....	2,400
For the payment of the salary of a statistician.....	2,400
For the payment of the salary of 3 stenographers.....	5,040
For the payment of the salary of 3 clerks.....	4,320
For the payment of the cost of diphtheria antitoxin and other products for free distribution for the poor; for the employment of such special and assistant engineers, stream and sanitary inspectors, and such other employees as may be necessary; for the fees and necessary traveling expenses of the county medical inspectors and rural health officers; for the necessary traveling expenses of the commissioner of health, his assistants, and other employees; for the maintenance of the bureau of vital and morbidity statistics; for the maintenance of laboratories and experimental station; and for the payment of all other necessary expenses of the department of health in supervising epidemics of diseases and in protecting the public health.....	950,000
	<u>984,660</u>

TUBERCULOSIS.

For the constructing, equipping, and maintaining sanatoria, infirmaries, and dispensaries for the free treatment of indigent persons affected with tuberculosis; and for the maintenance of laboratories for sanitary supervision, isolation, and treatment of indigent persons affected with tuberculosis; and for the preventive education of the public; for the payment of salaries, and for all other necessary expenses which may be incurred in this tuberculosis work.....	2,625,000
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MEDICAL INSPECTION OF SCHOOLS.

For the medical inspection of the pupils of the public schools, in accordance with the provisions of the School Code (\$225,000), approved by the governor for.....	<u>200,000</u>
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TOTALS—DEPARTMENT OF HEALTH.

Department of health.....	51,800
Medical division.....	48,920
Laboratories and experimental station.....	28,080
Division of distribution of biological products.....	12,720
Bureau of vital statistics.....	38,680
Marriage and morbidity statistics.....	14,960
Sanitary engineering division.....	115,200
Division of accounting and purchasing.....	47,080
Division of supplies.....	12,180
Dispensaries.....	984,660
Tuberculosis.....	2,625,000
Medical inspection of schools.....	200,000
	<u>4,179,280</u>

Boards of Health in Boroughs and Townships of the First Class—Organization, Powers, and Duties. (Act 316, June 12, 1913.)

SECTION 1. That a board of health shall be established and maintained in each borough and township of the first class in this Commonwealth within three months after the passage of this act.

SEC. 2. The board of health shall be composed of five members, at least one of whom shall be a reputable physician of not less than two years' experience in the practice of his profession. The members of the board of health shall be appointed by the president of the borough councils, or by the chairman of the board of commissioners of such township. At the first appointment one member shall be appointed to serve for one year, one for two years, one for three years, one for four years, and one for five years; and thereafter one member shall, in like manner, be appointed each year, to serve for five years. The members of the board of health shall be residents of the municipality for which they are appointed, and shall serve without compensation: *Provided, however,* If any member of the board shall be elected to the office of secretary, he shall be entitled to receive a salary, fixed by the board, for that office.

SEC. 3. The members of the board shall severally take and subscribe to the oath prescribed for borough or township officers, and shall annually organize by electing a president from among the members of the board, a secretary, who may or may not be a member of the board, and a health officer, who shall not be a member of the board. The secretary and the health officer shall receive such salary as may be fixed by the board, and ratified by the borough council or by the board of commissioners of the township of the first class, and shall serve for a period of one year, or until such time thereafter as their successors may be elected and qualified. They shall severally give bond to the borough or township in such sums as may be fixed by ordinance for the faithful discharge of their duties, and shall also take and subscribe to the oath required by members of the board.

SEC. 4. The secretary of the board shall keep the minutes of their proceedings; shall keep accurate accounts of the expenditures of the board; shall draw and certify, under the seal of the board of health, all orders upon the treasurers of the borough or township of the first class for the payment of moneys on account of the board of health, and shall present the same to the president of the board for his approval; shall render statements for the expenditures to the board at each stated meeting, or as frequently as they may require; shall prepare, under the directions of the board, the annual report to the borough council or township commissioners, together with the estimate of appropriation needed for the ensuing year; he shall report to the State department of health at the end of each week, and for the fraction of each week occurring at the end of each month, the cases of communicable disease reported to the board of health, on the form provided for that purpose by the State department of health; and shall also make an annual report to the State department of health; and shall make such other reports and perform such other duties as the board may require.

SEC. 5. It shall be the duty of the health officer to attend all stated and special meetings of the board of health, and at all times be ready and available for the prompt performance of his official duties. He shall placard and quarantine all premises upon which cases of communicable disease exist, which have been reported to the board of health or of which he or the board of health may have knowledge, which are required by law, or by regulation of the State department of health or of the local board of health, to be placarded and quarantined; and shall disinfect such premises upon the expiration of

the quarantine period and the recovery of the last person therein suffering from such disease. He shall serve written notice on teachers and persons in charge of public, parochial, Sunday, and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases; and shall make sanitary inspections, and shall execute the orders of the board of health, and shall in the performance of his duties have the power and authority of a policeman.

SEC. 6. The said board of health shall have the power, and it shall be their duty, to enforce the laws of the Commonwealth, the regulations of the State department of health, and such further regulations as the board may see fit to adopt for the control of communicable disease and the prevention of infections therefrom. They shall also have power with the consent of councils, in case of a prevalence, or apprehended prevalence, of any contagious or infectious diseases in their borough or township, to establish one or more emergency hospitals and to make provisions and regulations for the management of the same.

SEC. 7. Said board of health shall have the power as a body, or by committee, as well as the health officer, together with their assistants, subordinates, and workmen, under and by order of the said board, to enter at any time upon any premises in the borough or township upon which there is suspected to be any infectious or contagious disease, or nuisance detrimental to the public health, for the purpose of examining and abating the same.

SEC. 8. The board of health may inspect house drains, waste and soil pipes, cesspools, water-closets, slaughterhouses, hogpens, stables, stable yards, and any conditions or places whatsoever, in the borough or township of the first class, which may constitute a nuisance or a menace to public health; and whenever any condition or place in the borough or township of the first class is found by them to be a nuisance or a menace to the health of the people of the borough or township of the first class, they shall issue a written order of abatement, directed to the owner, or agent of the owner, of the premises, stating that the conditions specified therein constitute a nuisance or a menace to health, and ordering an abatement thereof within such time as may be specified by them in such order. In case such order of abatement is not obeyed within the time specified therein, they shall thereupon issue a further written order to the health officer, directing him to remove or abate the same, which order shall be executed by him and his subordinates and workmen, and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law; or the said board of health may proceed to enforce such other remedy, or inflict such penalty, as may by ordinance of the borough or township of the first class be provided.

SEC. 9. It shall be the duty of the board of health to submit annually to the councils or township commissioners before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year; and councils or township commissioners shall then proceed to make such appropriation thereto as may be necessary; and the said board shall, in the month of January of each year, submit a report in writing to councils or township commissioners of its operations and expenditures for the preceding year, together with such other information on subjects relative to the sanitary conditions or requirements of the borough or township as may be necessary, and councils or township commissioners shall publish the same in their official journal.

SEC. 10. Whenever in the opinion of the commissioner of health of the Commonwealth of Pennsylvania conditions found by him to exist in any borough or township of the first class in this Commonwealth shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or first-class township, or if it be known to him that any borough or township of the first class is without an existing or efficient board of health, the commissioner of health may enter and take full charge of and administer the health laws, regulations, and ordinances in such borough or township of the first class, and may continue in charge thereof until he shall decide that a competent, efficient board of health has been appointed and qualified for such borough or township of the first class, and is ready, able, and willing to assume and carry into effect the duties imposed upon it by law.

SEC. 11. All expenses incurred by any local board of health, its officers or employees, in the performance of the duties imposed upon it by law, and all expenses incurred by the commissioner of health in accordance with the provisions of section 10 of this act, shall be paid by the borough or township of the first class wherein such duties are performed, in the same manner as other expenses of such borough or township of the first class are paid.

SEC. 12. Whenever expenses incurred by the commissioner of health in the administration of health laws in any borough or township of the first class, in accordance with the provisions of this act, shall remain unpaid by said borough or township of the first class for a period of over three months after a statement of such expense has been rendered by him to such borough or township of the first class, and demand for payment by him made, he shall, with the approval of the governor, institute, in the name of the Commonwealth as plaintiff, an action of assumpsit against such borough or township of the first class for the collection of such expense from the borough or township of the first class, in the same manner as debts of like amount are collected by law: *Provided, however,* That upon the trial of any such action of assumpsit, the reasonableness of the expenditures made by the commissioner of health shall be submitted to the jury for its determination.

SEC. 13. All expenses incurred by the commissioner of health in the administration of health laws in any borough or township of the first class, when paid to him by such borough or township of the first class, or when collected by him, shall be returned by him to the State treasurer, who shall credit the amount so received to the appropriation made to the department of health.

SEC. 14. An act entitled "An act to enable borough councils to establish boards of health," approved the 11th day of May, A. D. 1893; and "An act to enable the township commissioners of townships of the first class in this Commonwealth to establish boards of health, and providing for the payment of the expenses thereof by the township," approved the 20th day of May, A. D. 1907; and all other acts or parts of acts inconsistent herewith be, and the same are hereby, repealed: *Provided,* That all boards of health now in existence in boroughs and townships of the first class shall continue to act as such until the board of health created by this act is appointed and qualified.

Eggs—When Unfit for Food to be Denatured. (Act 43, Apr. 11, 1913.)

SECTION 1. *Be it enacted, etc.,* That it shall be unlawful for any person, firm, or corporate body, by himself, herself, itself, or themselves, or by his, her, its, or their agents, servants, or employees, to sell, offer for sale, expose for sale, or have in possession with intent to sell, eggs that are unfit for food, within the meaning of an act, entitled "An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs

unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," approved the 11th day of March, A. D. 1909, for any purpose, use, cause, or reason whatsoever, unless the same shall have first been denatured with a sufficient quantity of kerosene to render all of the same unfit for use in the preparation of food and food products; and further providing that the shells of all such eggs that may be unfit for food, as hereinbefore mentioned, shall first be removed or broken, by smashing or otherwise, so as to permit a free impregnation of the whole of the egg substance by the denaturing fluid; and all persons violating any of the provisions hereof shall be guilty of a misdemeanor, and subject to the same penalties as provided in the act to which this is a supplement.

Marriage—Prohibited in Certain Cases—Licenses. (Act 458, July 24, 1913.)

SECTION 1. *Be it enacted, etc.,* That no license to marry shall be issued except upon written and verified application to the clerk of the orphans' court. Such application shall contain a statement of the full Christian name and surname, color, occupation, birthplace, residence, and ages of the parties; whether the marriage contemplated is the first, second, or other marriage; and that neither of the contracting parties is afflicted with a transmissible disease; together with the full Christian name and surname, residence, color, occupation, and birthplace of their parents, including the maiden name of the mother; together with such other facts as may be necessary to determine whether any legal impediment to the proposed marriage exists. Such application shall be recorded by the clerk, together with the license and certificate of marriage, in a book provided for that purpose, which book shall be a public record.

SEC. 2. Applications for license to marry shall be uniform throughout the State; and it is hereby made the duty of the State department of health to furnish a form therefor to the several clerks at once upon the approval of this act: *Provided*, That said State department of health may revise said forms, so furnished, from time to time, as may be advisable.

SEC. 3. No license to marry shall be issued where either of the contracting parties is an imbecile, epileptic, of unsound mind, or under guardianship as a person of unsound mind; nor to any male person who is or has been, within five years, an inmate of any county asylum or home for indigent persons, unless it satisfactorily appears that the cause of such condition has been removed, and that such male applicant is physically able to support a family; or if, at the time of making application, either of the contracting parties is under the influence of an intoxicating liquor or narcotic drug; and no license shall be valid for a longer period than 60 days from the date of issue.

SEC. 4. In those cases, when the right to a license is not made to appear, the clerk shall refuse to issue the same. At once, upon such refusal, he shall certify the proceeding to the proper orphans' court, without formality or expense to the applicants, who shall be notified by him of such action. Such application shall thereupon be, at the earliest practicable time, heard by the judge of said court, without a jury, in court or in chambers, during the term or in vacation, as the case may be; and his finding that a license ought to issue or ought not to issue shall be final, and the clerk shall act in accordance therewith; the true intent of this section being to secure for the applicants a hearing by said judge, without affirmative action by said applicants, and to give notice to them of such hearing, its time and place, without delay or expense.

SEC. 5. All acts or parts of acts conflicting with the provisions of this act be, and the same are hereby, repealed: *Provided*, That nothing in this act shall be construed to authorize the marriage of persons not of legal age, without the consent of parents or guardians, as now provided by law.

Common Drinking Cups—Common Towels—Barber's Brushes—Eating Utensils.
(Reg. Bd. of H., Jan. 3, 1913.)

First. Those responsible for establishing or conducting any public drinking place in the Commonwealth of Pennsylvania are hereby forbidden to furnish or permit others to furnish or keep any common drinking vessel for common use at any such drinking place, provided this rule and regulation shall not preclude the use of vessels which are cleansed by washing in boiling water or are disinfected or destroyed after individual use. Public places within the meaning of this regulation shall include common carriers, private, public, parochial, or Sunday schools, industries, factories, theaters, shops, offices, hotels, etc.

Second. No person, persons, or corporation within the Commonwealth of Pennsylvania shall furnish for public use any towel unless such towel be laundered or discarded after each individual use.

Third. Barbers are hereby forbidden to use a common brush for brushing the eyes of their patrons unless such brush be disinfected after each individual use.

Fourth. Proprietors or persons in charge of public eating places are hereby forbidden to use drinking vessels, dishes, spoons, knives, forks, finger bowls, and other eating utensils which have not been thoroughly cleansed after each individual use.

Statistics of Diseases, Births, Marriages, and Deaths—To be Compiled by the Central Bureau of Vital Statistics. (Act 404, July 16, 1913.)

SECTION 1. *Be it enacted, etc.*, That all statistics of births, marriages, deaths, diseases; of practitioners of medicine and surgery; midwives, nurses, and undertakers; and all persons whose occupations is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases, or other vital statistics, now compiled by the department of health, or required by any subsequent law or laws to be so obtained, collected, compiled, and preserved, shall be obtained, collected, compiled, and preserved by and in the central bureau of vital statistics, created by the said act, approved May 1, A. D. 1905 (Pamphlet Laws, 330), to be maintained as a bureau of the department of health, under the general supervision of the commissioner of health and the immediate direction of the State registrar of vital statistics appointed by the said commissioner of health, under existing laws.

SEC. 2. The State registrar of vital statistics shall receive an annual salary at the rate of \$4,000.

[NOTE.—In drafting legislation relating to the collection of morbidity reports State boards of health should remember that the most important function served by the notification of cases is the giving of prompt and current information to the epidemiologic branch of the health department for guidance in the control of disease. There can be no objection to having the Bureau of Vital Statistics or other statistical office take the case reports after they have served their purpose in the Epidemiologic Bureau and compile and tabulate them by the statistical method for further use. Having the Bureau of Vital Statistics perform this statistical compilation would be an economy; in fact, there would seem to be no reason why it would not be an economy for a State government to have but one statistical office to perform all its statistical work, in the same way that one printing establishment would do all its printing. A statistical office is simply a common servant doing work for others, the same as a printing establishment. It does not use the statistics it prepares. That is left to others. Making the collection of morbidity reports the duty of a statistical office is fraught with the possible danger that the morbidity reports may be treated merely as so much statistical data for compilation and tabulation, to be available only in printed form annually and then probably at times to relate to data several years old. Morbidity reports should finally serve as the data for morbidity statistics, but their

greatest usefulness and their most important function to the health department are the information they give the epidemiologist as to where his activities are needed.—
EDITOR.]

Night Soil—Use as Fertilizer. (Act 165, May 20, 1913.)

SECTION 1. That it shall be unlawful to use night soil as a fertilizer, or otherwise, on any ground on which vegetables of a variety or varieties which are eaten uncooked for human food are being grown: *Provided, however,* That the term "night soil," for the purposes of this act, shall be construed to include only human excrement and the contents of privy wells; and that any such night soil which shall have been treated by any process approved by the commissioner of health of the State department of health, to remove its objectionable features, shall not be within the prohibition of this act.

SEC. 2. Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$25 or more than \$100 for each offense, or imprisoned for not more than two months, or both, in the discretion of the court.

SEC. 3. This act shall take effect on the 1st day of September, 1914.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

**Tenement Houses in Cities of the First Class—Division of Housing and Sanitation.
(Act 428, July 22, 1913.)**

SECTION 1. *Be it enacted, etc.,* That there shall be in cities of the first class a division of housing and sanitation attached to the department of public health and charities, which division, and all its officers and employees, shall be under the supervision and control of the director of the department of public health and charities, and shall, under said department, have jurisdiction over all matters coming within the provisions of this act, and all laws, ordinances, and the rules and regulations of the board of health, in any way affecting or regulating the use, occupancy, sanitation, or maintenance of all buildings, the grounds surrounding same, and all vacant lands mentioned in this act.

SEC. 2. *Organization.*—There shall be a chief of the said division, to be known as the chief of the division of housing and sanitation, who shall receive a compensation of not less than \$3,500 a year; and assistant chief, and not less than four supervising inspectors, all of whom shall be qualified by training or experience for the duties of their respective positions; and there shall be not less than one hundred other inspectors. There shall be, in addition, a statistician, and such clerks, stenographers, and typewriters, messengers, and other employees, as the director of the department of public health and charities shall deem necessary, subject to the approval of city councils. None of the foregoing officers or employees shall be engaged in any other business. The city councils, with the approval of the mayor, shall fix their respective salaries.

SEC. 3. *Duties of officers.*—The chief of the division of housing and sanitation shall have the management and direction of all matters coming within the jurisdiction of and pertaining to the division of housing and sanitation. He shall provide and arrange for the inspection of all properties within the city coming under the provisions of this act. He shall keep on file suitable records of such inspection, together with all permits and orders issued pursuant to this act, all of which shall be open to public inspection during business hours.

The director of the department of public health and charities shall have the power to amend, revise, or revoke any action taken by the chief of said division in the exercise of the discretionary power vested in him by any of the provisions of this act.

The assistant chief shall assist in the management and control of all matters pertaining to the division of housing and sanitation, and in case of the absence or dis-

bility of the chief he shall exercise all the powers of the chief of the division of housing and sanitation.

The supervisors and other inspectors shall, under the direction of their superior officers, inspect all properties within the city as often and at such times as the need shall require, and shall make adequate records and reports of the same, and shall perform such other duties as may properly come within the scope of said division.

SEC. 4. *General provisions—Definitions.*—Whenever in this act the "present tense" is used, it shall be taken to include the future tense. Wherever in this act the "masculine gender" is used, it shall be taken to include the feminine and neuter genders. Wherever in this act the "singular number" is used, it shall be taken to include the plural. Wherever in this act the word "shall" is used, it is to be taken to be mandatory and not directory.

The word "person," when used in this act, shall be taken to include any association, partnership, or corporation, as well as a natural person.

Wherever in this act the word "converted" is used, it shall be interpreted to mean either a change in the character of occupancy or in construction.

(2) *Full meaning of terms used.*—Wherever in this act the words "ordinances," "regulations," "bureau of building inspection," "department" or "board," or "bureau of health" occur, they shall be construed as if followed by the words "in cities of the first class."

Wherever in this act the words "is occupied" are used, applying to any building, such words shall be construed as if followed by the words "or is intended, arranged, or designed to be occupied."

Wherever in this act the words "satisfactory" or "approved" are used, they shall be construed as if followed by the words "to" or "by the chief of the division of housing and sanitation."

(3) *A tenement.*—The term "tenement" shall mean any house or building which, or a portion of which, is occupied as a residence by three or more families, living independently of each other, and doing their cooking on the premises, and having a common right in the halls, stairways, yard, cellar, or water-closets thereof, or some of them; or by two or more families occupying apartments above the first floor, living independently of each other, and having a common right in the halls, stairways, yard, cellar, or water-closets thereof, or some of them.

(4) *A dwelling.*—The term "dwelling" shall mean any house or building not a lodging house within the terms of the act of assembly of July 2, 1895 (Pamphlet Laws, 428), "An act entitled an act to regulate and license public lodging houses in different cities of this Commonwealth," and not a tenement, rooming house, or inn, all or any part of which is occupied as the home or residence of a family, or of two or more families living independently of each other, and having no common right or use in any hall, stairway, cellar, water-closet, or privy; and whether such house is built singly, or as part of a double house, or in conjunction with others in an attached or semidetached row, it shall be deemed a dwelling.

(5) *A two-family dwelling.*—A "two-family dwelling" is any house not a tenement, dwelling, rooming house, or inn, and which is occupied by two families, who use a common entrance or hallway.

(6) *A rooming house.*—The term "rooming house" shall mean and include any house or building, or portion thereof, not a lodging house within the terms of the act of assembly of July 2, 1895 (Pamphlet Laws, 428), "An act entitled an act to regulate and license public lodging houses in different cities in this Commonwealth," and not a tenement or an inn, and in which persons, either as single individuals or as families, are harbored or received, housed or lodged, for hire or otherwise, for a single day or night or longer periods; provided this shall not include a dwelling where less than 5 persons are so received and lodged, or where 50 per cent or more of the rooms used for sleeping are used solely by the members of the immediate family owning or leasing and occupying the house, and by the domestic servants of such family.

Apartment.—The term "apartment" shall mean a room, or suite of two or more rooms, which is or are occupied as a home for one or more persons.

(7) *Grades of buildings.*—For the purpose of this act all buildings herein referred to shall be graded according to their use or occupancy. Buildings of the highest or first grade shall include all dwellings, as hereinbefore defined; buildings of the second grade shall include all 2-family dwellings, as hereinbefore defined; buildings of the third and lowest grade shall include all rooming houses and tenements, as hereinbefore defined.

(8) *A living room.*—A "living room," or a room used for "living" purposes, is any room, not a water-closet, bathroom, or other room used solely for storage or closet purposes, and which is used, in whole or in part, for any household purposes.

(9) *A yard.*—A "yard" is an open, unoccupied space on the same lot with a tenement, rooming house, or dwelling, and which space extends in its full width or depth between opposite lot lines.

(10) *A court.*—A "court" is any open, unoccupied space, other than a yard, on the same lot with a tenement, rooming house, or dwelling.

(11) *A sewer.*—A "sewer" is a public sewer, or a private sewer tributary thereto, and accepted by the bureau of surveys.

(12) *A school sink.*—A "school sink" is any vault or box used, or designated to be used, to receive urine and fecal matter which is washed to the sewer by means of a steady or intermittent flow of water.

(13) *An entrance hall.*—An "entrance hall" is a public hall on the first story, admission to which is made from the street or yard, court, or alley.

(14) *A public hall.*—A "public hall" is a hall, corridor, or passageway not within an apartment.

(15) *A stair hall.*—A "stair hall" includes the stairs, stair landings, and the portion of any hall through which it is necessary to pass in going between the entrance floor and the roof.

(16) *A basement.*—A "basement" is a story partly but not more than one-half below the level of the ground surrounding the building, and shall be considered the first story of such building.

(17) *A cellar.*—A "cellar" is a story more than one-half below the level of the ground surrounding the building.

SEC. 5. Approving plans.—All plans for the erection, construction, or alteration of buildings of the grades referred to in this act, or for the alteration of houses already erected, or other buildings intended for occupancy for any other grade; and all plans for the installation or alteration of heating or ventilating apparatus, lighting system, plumbing, fixtures, cesspools, sinks, or privy wells, besides being submitted to the bureaus now charged with approval of the same, shall be submitted to the chief of the division of housing and sanitation, for his approval of said plans and of the sanitary conditions surrounding the ground over which the proposed building is to be erected; and until such approval is obtained and indorsed on such plans the work of construction or alteration shall not be begun.

SEC. 6. Light and ventilation—Per cent of lot to be occupied.—No building shall be occupied as a tenement unless it shall have appurtenant to it in the rear or at the side and as part of the lot upon which it is located, an open space equal to at least 20 per cent of the entire area of such lot, which open space shall be unobstructed by any overhanging structure except fire escapes required by law; unless, however, such tenement shall be located upon a corner of two streets, neither of which is less than 20 feet in width, in which case said tenement shall have an open space attached to it in the rear or at the side next the adjoining lot, equal in area to at least 10 per cent of the entire area of the lot upon which said tenement is located, which open space shall be unobstructed by any overhanging structure except fire escapes required by law; and any such tenement located upon a lot bounded on three sides by streets, none of

which is less than 20 feet in width, may cover the entire area of said lot: *Provided*, That at least one window, not less than the minimum size hereinafter provided, opening from each of the rooms in such tenement, shall open upon one of the streets. Such open space attached to every tenement shall be at least 8 feet in width throughout its entire length.

No court or open space between tenements, or between wings of a tenement, shall be of a less width than 12 feet, except in buildings erected prior to June 7, 1895, and which are not over three stories in height, where the open space between the walls of the wings of tenements there shall be an open space not less than 5 feet in width, providing the length of such wing or wings is not more than 30 feet, and, for each additional 10 feet in length, there shall be an additional foot in width, provided there is in the rear or at the side of the lot upon which the building is erected an open space equal to at least 20 per cent of the entire lot area, which open space shall be unobstructed by any overhanging structure except fire escapes required by law. If such tenement is situated on a lot which is bounded upon two opposite sides by streets, then at least one end of every such open space shall abut upon one of such streets. Every court or shaft furnishing light or air to any such tenement shall open, upon one side, into a street, or into a yard or open space, except such shafts as are used solely for ventilation of water-closets or bathrooms, which, for the purpose of cleaning same, shall have a door or window giving sufficient access for such purpose on the ground floor leading thereto. Buildings erected as tenements, or physically altered into tenements, prior to June 7, 1895, shall be exempt from the provisions of this section governing the percentage of the lot occupied, the width between wings, and the width of court; and such other buildings shall likewise be exempt as have been listed on the records of the departments of public health and charities, and consecutively occupied as tenements prior to January 1, 1914.

SEC. 7. *Alteration of building and open areas.*—No yard, court, or open area appurtenant to any building of the grades referred to in this act shall be reduced, through the erection or alteration of any kind of building on the same lot, to a size less than the minimum yard, court, or open area required when new buildings of like grade are constructed.

SEC. 8. *Change of occupancy.*—No building of a higher grade of occupancy shall be converted to the use of a building of a lower grade of occupancy, except as provided in section 6 of this act, unless it shall be made to conform in all particulars as to safety in structure and requirements in sanitation and health to the class to which the lower grade belongs. No building, not now in one of the grades referred to in this act, shall be converted into any such grade without conforming to all the requirements of this and other acts, and of the rules and regulations relating to such grade.

SEC. 9. *Two-family dwellings.*—All two-family dwellings, unless otherwise specifically stated in this act, shall be subject to the same requirements as dwellings.

SEC. 10. *Increase the height of buildings.*—No building of any grade referred to in this act shall be increased in height, if it is situated on a rear lot, alley, court, street, or other passageway 20 feet or less in width.

SEC. 11. *Light.*—Whenever the windows of a building used for human habitation receive their light from a yard, alley, court, or passageway, the line of which is formed by a fence 6 feet or over in height, wall or building 5 or less feet distant, such fence, wall, or building, facing such yard, alley, court, or passageway, shall be whitewashed or painted white, and shall be maintained in such condition so as to reflect the maximum available light to such windows.

SEC. 12. *Windows.*—No room in any tenement, erected or converted since June 7, 1895, shall be occupied for living purposes, unless it has a window-lighting area of at least 12 square feet, the upper half of which surface shall open fully. At least one window, or windows, of required area shall open directly upon a street, yard, or open area not less than that provided for in section 6 of this act. No room in any other

building of the grades referred to in this act shall be occupied for living purposes, unless it has a window, or windows, of an approved lighting area opening to the outer air. The upper half of all such windows shall open fully.

SEC. 13. *Alcoves and alcove rooms.*—No part of any room in any building of the grades referred to in this act shall be inclosed or subdivided, in whole or in part, by a fixed or movable partition, or other contrivance or device, unless such part of the room so inclosed or subdivided shall contain a separate window as herein required for ordinary rooms, and shall have a floor area of not less than 70 square feet.

SEC. 14. *Windows in halls.*—No tenement erected prior to June 7, 1895, no dwelling converted into a tenement, no two-family dwelling or rooming house, shall be used for human habitation, unless all public halls are lighted on each floor by a window, or windows, of an approved lighting area, opening directly to the outer air, the upper half of which surface opens fully: *Provided, however,* That wherever any such public hall can not reasonably be so lighted and ventilated, translucent glass panels of at least 4 square feet shall be inserted in the wall or in the doors, or as transoms above the doors, leading to the rooms whose windows open directly to the outer air. Such halls shall have a ventilating skylight of satisfactory area in the top floor, directly over the stairway, and, where such is or may be built in, it shall be an acceptable substitute for windows, either leading to the outer air or to rooms that lead to the outer air, on the top floor. No tenement erected since June 7, 1895, shall be occupied for human habitation, unless the windows in its public halls conform to the requirements of section 3, act of assembly, June 7, 1890 (Pamphlet Laws 178): "A supplement to an act entitled 'An act amending section 3 of article 3 of an act entitled 'An act for the better government of cities of the first class in this Commonwealth,' approved the 1st day of June, A. D. 1885, regulating the construction, maintenance, and inspection of buildings,' approved the 8th day of June, A. D. 1893, regulating the construction, alteration, and ventilation of tenement houses, and providing for the safety of the inhabitants thereof, and providing penalties for the violation of the same." If after the foregoing provisions have been complied with, such public halls are not adequately lighted in the daytime, the owner, lessee, or conductor of such house shall keep a proper light burning in the hallways, near the stairs, as may be necessary from sunrise to sunset.

SEC. 15. *Light in public halls at night.*—In every public hall, near the stairs in a tenement or rooming house, an adequate light shall be kept lighted by the conductor from sunset till at least 10 post meridian; and in the entrance hall and the hall of the second floor above an adequate light shall be kept lighted all night. Such light shall be adequately protected by glass shade or wire screen.

SEC. 16. *Light in corridors, cellars, etc.*—Whenever it is necessary to improve the lighting of any hall, corridor, cellar, basement, or other part of a two-family dwelling, rooming house, or tenement, used in common by two or more families, in addition to the provisions for this purpose otherwise stated in this act, the chief of the division of housing and sanitation may order the walls and ceiling, or both, to be painted or whitewashed, kalsomined or papered in white or other approved light color.

SEC. 17. *Cellar ventilation.*—The cellar or space underneath the first floor or basement of every building used for human habitation shall, when feasible, be so ventilated as to secure a constant supply of fresh air, and when feasible shall be lighted by windows.

SEC. 18. *Cellar and basement rooms.*—No cellar or cellar room shall be used for human habitation. No basement room in any building of the grades referred to in this act shall be used for living purposes, other than laundry, the finished ceiling of which is less than 7 feet above the finished floor level, and the walls of which are not damp proof and waterproof. Such rooms shall have a window area equal to that required in section 12, and it shall not be used for sleeping purposes unless it has along the side containing the window an open area of not less than 2 feet 6 inches wide,

extending upward from not less than 6 inches below the level of the floor of such room to the surface of the street. This area shall be drained to the sewer. The tenant of a cellar room and the tenant of a basement not conforming to the above requirements, the agent and his principal renting the same, and the owner, shall each be subject to the penalties as hereinafter provided for the violations of this act.

SEC. 19. *Sanitation.—Courts and areas to be drained.*—All courts, yards, areas, and alleys about buildings of the grades referred to in this act shall be properly graded so as to receive thorough drainage in all their parts. The chief of the division of housing and sanitation may order such spaces paved, if in his judgment it is necessary, in order to preserve a proper drainage or to maintain satisfactory sanitary conditions.

SEC. 20. *Rain leaders.*—The rain conductors of all buildings of the grades referred to in this act shall be connected with the sewer, if there is a sewer in the street contiguous thereto, or, if there is no such sewer, as soon as such sewer is laid; but at no time shall the flow therefrom be permitted to go over the sidewalk or upon the adjoining property.

SEC. 21. *Rain conductors not to be used as waste pipes.*—No fixture, sink, closet, or drain of any kind receiving house sewage shall empty into a rain conductor, nor discharge to a roof draining to a rain conductor.

SEC. 22. *Houses to be sewer connected.*—Every dwelling or rooming house accessible to a sewer shall be connected therewith. All privy vaults, cesspools, and school sinks shall be removed from the premises of any dwelling or rooming house after a sewer has been laid in a contiguous street. No building shall be used as a tenement unless it is sewer connected, and all cesspools, privy vaults, and school sinks shall have been removed from the premises thereof.

SEC. 23. *Water-closets.*—Every dwelling to which a public sewer and water main is accessible shall have a separate and independent water-closet of a type approved by the plumbing regulations of cities of the first class, thoroughly flushed at all times, in a separate and independent compartment; and all water-closets hereafter installed shall be in a separate compartment, or in a bathroom when feasible, within the dwelling, or attached thereto in such a manner that the same may be entered immediately from the dwelling. The floor and wall surface of such compartment, about and beneath, shall be maintained in good repair and cleanliness. One entrance to at least one water-closet compartment in every dwelling shall be by hall or passageway independent of a room used for sleeping purposes.

SEC. 24. *Number and location of water-closets.*—In every rooming house there shall be at least one water-closet in a separate compartment for every four rooms or fractional part thereof, approached by an entrance independent of any living room. In each two-family house or tenement there shall be at least one water-closet contained in a separate compartment for each family occupying the premises; except that, where there are apartments of one or two rooms, there shall be at least one water-closet for each two families, located in a separate compartment on the same floor with the apartments it is to serve—if such location is deemed feasible by the chief of the division of housing and sanitation; otherwise, it shall be a place easily accessible to such apartments. Such water-closet shall be approached by at least one entrance independent of a living room. At least one water-closet for each other apartment in such buildings shall have at least one entrance by separate hall or passageway, independent of a room used for sleeping purposes. No water-closet shall be maintained in the cellar or basement of any building, without a permit from the bureau or board of health; but under no circumstances shall the general water-closet accommodations of a rooming house or tenement be permitted in a cellar or basement.

SEC. 25. *Privies.*—Where a sewer is not accessible to a dwelling there shall be a privy vault located in the yard thereof, and constructed in accordance with the laws, ordinances, and rules of the bureau or board of health relating thereto. Such privy vault shall be cleaned to the bottom whenever the contents come within 3 feet of the level of the ground outside, or within 3 feet of the floor of the privy house, if such

floor is below the level of the surrounding ground, and shall be corrected with lime by the tenant or occupant of the property whenever it becomes foul.

SEC. 26. *Water supply.*—Where water mains have been placed in a street, and there is sufficient pressure to permit same, water shall be introduced, and be capable of being drawn in full supply in every dwelling, and in every apartment of two or more rooms in a two-family house, and in a tenement: *Provided*, That in sparsely populated districts where there is a well upon the premises, and the water therefrom is standard purity required by the board of health, such well may be considered an acceptable substitute for water in dwellings. When one or more apartments consist of but one room, there shall be at least one source of water supply, in an easily accessible place, for every two such apartments. In all rooming houses water shall be introduced, and be capable of being drawn in full supply, in an accessible place on each floor: *Provided*, That where less than three rooms are on each floor of a rooming house, water may be introduced on every alternate floor. Wherever a water fixture is introduced a sink, and suitable drain properly trapped leading from it, shall also be installed. No such sink in a tenement shall be inclosed with any woodwork. No house, wherever located, shall be occupied as a tenement, unless water is installed in each apartment as provided above.

SEC. 27. *Plumbing.*—All plumbing, water-closets, and the compartments in which they are located, pipes and other like fixtures in dwellings, rooming houses, and tenements, shall be installed and maintained, unless otherwise provided for in this act, in accordance with the plumbing regulations of the cities of the first class. All openings around such plumbing fixtures, pipes, and like facilities and appliances, shall be sealed or made air-tight with plaster, and all defects, obstructions, or leakage emitting or liable to emit gas, sewer air, or excrement of any kind, liquid or solid; shall be repaired and kept tight.

SEC. 28. *Cellars to be damp proof and waterproof.*—All cellars or spaces beneath the first floor or basement of buildings of the grades referred to in this act shall be damp proof and waterproof, and when, in the opinion of the chief of the division of housing and sanitation, conditions require it, they shall be concreted with good concrete and a finished surface to a depth of not less than 4 inches, and the walls shall be coated with cement or other nonpenetrable surfacing to such a depth as to prevent the incoming of water.

SEC. 29. *Occupancy—Overcrowding.*—No room in a dwelling, rooming house, or tenement, when used for sleeping purposes, shall be occupied, or be permitted to be occupied, at any one time, by more than would give to each occupant thereof who is over 12 years of age at least 400 cubic feet of air space; nor shall the owner, lessee, or conductor of any dwelling, rooming house, or tenement, or the lessee of any room or apartment therein, permit such room to be occupied in violation of the above provision. Whenever any room has been found to be overcrowded, as defined by the foregoing, the chief of the division of housing and sanitation shall cause a tin placard to be placed upon the door of such room, stating the number of occupants the room may accommodate. Any person removing or defacing such placard shall be guilty of a violation of this act.

SEC. 30. *Uninhabitable houses to be vacated or destroyed.*—Whenever a building of any of the grades referred to in this act, or any part thereof, for any reason whatsoever, is unfit for human habitation or is dangerous to life and health, the chief of the division of housing and sanitation shall issue an order requiring all persons therein to vacate such building, or part thereof, within not less than 24 hours nor more than 30 days after service of such notice upon the occupants; the reason thereof to be mentioned in said order, a copy of which shall be served also, at the same time, upon the last registered owner of such property, by leaving the same at the last known residence or address of such owner, or, if such address is not known, by posting the same in a conspicuous place upon such building. And it shall thereafter be unlawful to

occupy, or to permit the occupancy of, such house, or any part thereof, until the chief of the division of housing and sanitation is satisfied that the dangers from said house have ceased to exist, or that it is again fit for human habitation. If, in the opinion of the chief of said division, such house can not be made fit for human habitation, he may order it removed. Written notice, containing a description of the house deemed unsafe or dangerous to health, and of the premises upon which it is situated, requiring the same to be removed, shall be duly given to the owner or owners, or one of them: *Provided, however*, If the owner or owners, or one of them, can not be found, then the notice may be given to the agent in charge of the said property or to an occupant thereof, or, if the premises are vacant, then by posting the notice conspicuously on said premises.

Such notice shall require the owner or owners, or some one on his or their behalf, to certify within three days to the chief of said division his or their assent or refusal to remove the building. If the owner or owners, or some one with authority on his or their behalf, shall, within the time aforesaid, certify his or their assent to the removal of said insanitary, unsafe, or dangerous building, premises, or structure, he or they shall be allowed not less than 24 hours, nor more than 30 days, following the giving of notice of such assent, in which to commence the removal of the same; and he or they shall employ sufficient labor and assistance to remove the same expeditiously. Upon his or their refusal or neglect to comply with any of the requirements of said notice, a further notice shall be given, in like manner, to the person theretofore notified; or, if the person to be served can not be found, such notice shall be posted conspicuously upon said premises; stating that a survey of the premises named in the said notice will be made under the direction of the chief of the bureau of health, the chief of the bureau of building inspection, and the chief of the bureau of surveys, at the time and place therein stated, which time shall not be less than 24 hours nor more than 3 days from the time of the service of said second notice as aforesaid; and the said chiefs shall constitute a board of survey for the purpose, and shall perform the survey within the time stated, and report with promptness and dispatch. In case a majority of said board, after such survey, shall report the building unfit for human habitation, the same shall thereby be condemned, and notice thereof served on the owner in the same manner as is hereinbefore provided for service of notice of survey. If the owner shall fail to proceed as expeditiously as is possible to remove the said building, within 10 days of the service of such notice, the same shall be removed by the chief of the division of housing and sanitation, and a lien for the cost of such removal shall be filed therefor, and collected as municipal claims are now or may hereafter be by law a lien and collectible, or as provided for in section 55 of this act.

SEC. 31. *Wall paper.*—Whenever the paper on the ceiling or walls of a room in any building of the grades referred to in this act has become loosened, so as to collect and hold dust, the same shall be removed, the walls thoroughly cleansed, and new wall paper, kalsomine, paint, or other satisfactory substitute shall be put on. No wall paper shall be placed upon the walls of a room, where there has been a case of contagious or infectious disease, until all paper thereon has been removed and the walls thoroughly cleansed by some satisfactory disinfectant.

SEC. 32. *Animals and fowls in buildings.*—No horse, cow, calf, swine, sheep, or goat shall be kept or slaughtered in a dwelling, rooming house or tenement or any part thereof; nor shall any other animal or fowl deemed objectionable by the chief of the division of housing and sanitation be kept or slaughtered in any such building; nor shall any of the aforesaid animals or such fowl be kept in the yard of any such building, or the lot thereof, or the property adjoining, without the person desiring to keep the same, first having obtained a permit from the bureau or board of health. Application for such permit shall be accompanied by a fee of \$1; and such permit, when granted, shall expire not later than the calendar year for which it is issued. Whenever, by

reason of the congestion of buildings or people in any area, the presence of such animals or such fowls shall be deemed by the bureau or board of health prejudicial to health, or a common nuisance, it may refuse to issue any such permit for any property within said area.

SEC. 33. *Storage of certain goods forbidden.*—No dwelling, rooming house, or tenement, or any part thereof, occupied as such, shall be used as a place of storage, keeping, or handling of feed, hay, straw, excelsior, cotton, paper stock, feathers, or rags, or for any matter or thing dangerous or detrimental to health or life, except as hereinafter provided; nor shall any such building, or any adjacent or contiguous property receive, store, or keep dung or manure of any kind, except a stable, where such cleanings from the stalls may be stored, for a period of not longer than seven days, in a water-tight sanitary bin, built wholly inside the building line of the property upon which it is situated: *Provided*, That in sparsely populated districts such stable cleanings may be kept for a longer period, if kept according to rules and regulations governing the same established by the board of health, and for this purpose the board of health shall be and is hereby empowered to establish such rules and regulations.

SEC. 34. *Manufacturing in houses.*—No part of any dwelling, rooming house, or tenement shall be used by the tenant, members of his family, or others, for manufacturing purposes, or for other than domestic work, without a permit from the bureau or board of health, and the permit, when issued, shall expire not later than the calendar year for which it is issued. No such permit shall be granted if such use would create dust, foul odors, or undue noise, liable to affect injuriously the health or comfort of the tenants, occupants, or neighbors, or for any reason would affect injuriously the health and safety of those engaged in such manufacturing or other work. The permit may be revoked by the bureau or board of health at any time, for the same reason for which it may refuse to issue same. No such room or rooms, when used for manufacturing purposes, shall be occupied at any one time by more persons than would give to each occupant at least 400 cubic feet of air space.

SEC. 35. *Janitor.*—In a tenement house occupied by six or more families in which the owner or conductor does not reside there shall be a janitor, housekeeper, or other responsible person, who shall reside in said house and have charge of the same if the chief of the division of housing and sanitation shall so require.

[Sections 36 to 40, inclusive, relate to fire escapes and the prevention of fires.]

SEC. 41. *Maintenance—Cleanliness.*—The occupant or tenant of every dwelling and of each apartment in a two-family dwelling, the lessee of every rooming house, and the conductor of every tenement, shall keep the same and every part thereof, and the yards and courts and shafts exclusively belonging thereto, free from all accumulations of dirt, filth, garbage, or other refuse matters. The owner of every such building, when notified by the chief of the division of housing and sanitation, shall see that every part thereof, and all cellars, halls, passages, walls, areas, yards, courts, and spaces appurtenant thereto, are kept free from all accumulations of dirt, filth, garbage, or other refuse matters. Any person who shall cause or permit any filth, refuse, or perishable matter to be cast into a shaft, court, or area or yard in or about such building, or shall commit any other nuisance in or about such building, shall be subject to a fine as hereinafter provided for violations of this act.

SEC. 42. *Garbage and ash receptacles.*—Every owner or tenant occupying a dwelling or an apartment in a two-family house, the lessee or conductor of every rooming house, and the conductor of every tenement house, shall provide for each apartment under his supervision a suitable nonabsorbent, nonleakable, covered receptacle for garbage. He shall provide a receptacle of an approved standard for ashes. No receptacle, either for garbage or ashes, shall be filled to within 2 inches of the top. All tenants or occupants of buildings of the foregoing classes shall securely bundle all rubbish, waste paper, and like refuse, in such manner as to prevent it from causing a nuisance upon the property or upon the street when the collectors are taking it away. No

garbage chutes shall be constructed, maintained, or used within or about any of the above-mentioned grades of houses. Contractors or others removing refuse or other waste from such premises shall so handle it as to prevent it from escaping or becoming a nuisance on or to other properties or the public street.

SEC. 43. *Repairs.*—Every building of the grades referred to in this act, and all parts thereof, shall be kept in good repair and the walls damp proof. All rain water shall be so drained and carried from such building as to prevent its dripping to the ground, or causing dampness in the walls, ceilings, yards, courts, or other areas, or in those adjoining properties.

SEC. 44. *Bureau or board of health to make rules.*—It shall be the duty of the bureau or board of health, and it is hereby empowered, to make such additional rules and regulations governing the use, occupancy, and sanitation and maintenance of the buildings of the grades referred to in this act, the ground surrounding the same, and of unoccupied lands as may from time to time be deemed necessary. All such rules and regulations shall be promulgated by advertising, three times each in two newspapers published in cities of the first class, notice that such rules and regulations have been adopted, and where copies thereof may be had. Such rules and regulations shall be printed, and shall be furnished free, upon application, by the bureau of health.

SEC. 45. *Provisions for enforcing the act—Licenses.*—On and after January 1, 1914, no building shall be occupied or permitted to be occupied as a two-family dwelling, rooming house or tenement unless the owner or lessee of such two-family dwelling or rooming house or the conductor of such tenement shall have first applied for and obtained the required license as hereinafter provided, which license shall expire not later than the end of the calendar year for which it was issued, irrespective of the date of its issuance, and shall not be transferable. Whenever the interest of such licensee in the property for the occupancy of which the license was issued shall cease, or the property shall have been brought within one of the other grades herein mentioned by reason of a change in use or construction, said license shall immediately become void: *Provided, however,* That upon the death of the licensee the license shall nevertheless be valid for a period of 30 days from the date of such death, in favor of his legal representative or of the person to whom the house passes by law, but in no case shall such 30 days extend said license beyond the end of the calendar year for which it was issued.

SEC. 46. *Applications.*—Every application for any of the licenses required by this act shall be in a form approved by the bureau or board of health, and shall state the name and address of the applicant, the nature and extent of his interest in the property for which the license is desired; and, if the applicant is not the owner or agent thereof, then the application shall also state the name and address of the owner or his agent, the location of the building, the use to which it is to be put, whether a two-family dwelling, rooming house, or tenement, and the number of rooms to be occupied, together with such other information as may be required by the said bureau or board; and it shall be accompanied by a fee of \$1 for each such two-family dwelling, \$2 for each rooming house, and for a tenement such fee shall be \$1 for each apartment that is occupied, which fee shall cover the cost of the investigation.

SEC. 47. The chief of the division of housing and sanitation and his duly accredited inspectors shall have the right, and are hereby empowered and directed, to enter and examine at all reasonable hours all houses or other premises which come within the provisions of this act. Such inspectors when making such inspections shall wear a prescribed uniform, and shall exhibit a suitable badge, to be provided by said division, for their further identification. No person shall refuse, or cause to be refused, to the said chief or to any duly authorized and uniformed inspector of such division, after he shall have exhibited his said badge, admittance to such house, other building, or premises; nor shall any person in any way hinder such chief or any such inspector or inspectors in the performance of his or their duty as herein provided.

Sec. 48. *Granting licenses.*—The bureau or board of health shall, without further charge, grant to the applicant an occupancy license for the occupancy of the two-family dwelling, rooming house, or tenement mentioned in the application, and which shall have been found, after a thorough inspection, to comply in all respects with the provisions of this act and of all laws, ordinances, rules, and regulations applicable to such building, and the use to which it is intended to be put.

Sec. 49. *What licenses shall specify.*—Each license shall clearly specify the name and address of the person to whom it is issued; and, in addition, if such person is other than the owner, the name and address of such owner, and of his agent, if any; the location of the building, whether it is to be used as a two-family dwelling, rooming house, or tenement; the number of rooms and the maximum number of occupants for each sleeping room, and the date of the expiration of the license.

Sec. 50. *Record of licenses.*—The bureau or board of health shall keep a public record of all licenses issued under the provisions of this act. The original application shall be preserved for a period of one year, and shall be open to examination by the public, without charge, during business hours.

Sec. 51. *Revocation of licenses.*—The bureau or board of health shall have the power to revoke any license, if the person to whom the license has been granted has violated any of the provisions of this act, or of the laws, ordinances, and rules of the bureau or board of health.

Sec. 52. *Appeals.*—Any person whose application for a license has been refused, or whose license has been revoked, shall have the right to appeal, within 15 days, to the court of common pleas of the proper county: *Provided, however,* That such appeal shall not operate to supersede any decision of the chief of the division of housing and sanitation pending the entry of a final order by said court, unless said appeal is directed to operate as a supersedeas by said court, at a preliminary hearing to be held at the time and in the manner provided by its rules for application for preliminary injunctions.

Sec. 53. *Unlawful to own and occupy, or to rent, certain houses without a license.*—On and after the 1st day of January, 1914, it shall be unlawful for any person to let, rent, lease, to be occupied, or conduct, any two-family rooming house or tenement, in any city of the first class, unless he has secured a license therefor as hereinbefore provided, and unless he at all times displays it in a conspicuous place upon the wall within, and close to the outer entrance to, the house mentioned in said license.

Sec. 54. *Penalties for violation.*—Any person who shall violate any of the provisions of this act, or of any reasonable rule or regulation of the bureau or board of health authorized by this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$5 or more than \$50, for the first offense; for a second or subsequent offense, by a fine of not less than \$25, or more than \$200, or by imprisonment for not more than 60 days, or by both, at the discretion of the court; and whenever any person shall have been notified by the chief of the division of housing and sanitation, or by the service of a summons in a prosecution, that he is violating such provision, he shall be punished by like penalties, in addition, for each and every week that such violation shall have continued after such notification or service of summons.

Sec. 55. *Service of notice and order.*—Whenever notice is given requiring compliance with the provisions of any section of this act, the same shall be served upon the person required to make such correction, or his agent, unless otherwise hereinbefore provided, by mailing a copy to the residence, if known, of such person or his agent, and on the same day by posting a copy in a conspicuous place upon the premises affected, which notice shall not be removed or defaced while the condition mentioned therein exists. All such notices shall be complied with within five days after posting the same upon the premises affected, and upon failure to do so the bureau or board of health may contract to have the necessary work done, and the costs thereof shall be made a lien against such property and collectible in like manner as now

provided by law: *Provided, however*, That if there shall be no funds at the disposal of such bureau or board for the aforesaid purpose, then the bureau or board may contract to have such work done, and the lien therefor shall be marked to the use of the contractor doing the work and shall be collectible by such contractor as is now provided by law in similar cases.

SEC. 56. *Enforcement—Private prosecution; procedure.*—Any person shall have the right to institute prosecution for violations of this act by stating, upon oath or affirmation, the facts alleged as a violation: *Provided*, That any person other than a public officer who shall institute a prosecution which shall fail to result in a conviction shall be liable for the costs of such prosecution, if, in the opinion of the court, there shall not have been reasonable grounds for instituting the prosecution.

SEC. 57. Should any part of this act be construed to be invalid or unenforceable, the remaining parts of the act so far as they are valid or capable of enforcement shall stand, with the same force and effect as if the parts found to be invalid or unenforceable had been omitted.

SEC. 58. *Other acts repealed.*—All acts, or parts of acts, inconsistent with this act, be, and the same are hereby, repealed; but no such acts, or parts of acts, shall be considered as inconsistent with this act merely because its provisions, or any of them cover or relate to the subject or subjects of this act, if it does not conflict with or interfere with the enforcement of any of the provisions of this act.

Tenement Houses—Bureau of Housing Established. (Act 459, July 24, 1913.)

SECTION 1. That a bureau of housing be established in the State department of health, with such executive and clerical staff as may be necessary to carry into effect the provisions of this act throughout the Commonwealth, with the exception of cities of the first class. And the commissioner of health, with the consent of the governor, is hereby authorized to designate such persons, prescribe their titles and respective duties, and fix their compensation.

SEC. 2. It shall be the duty of said bureau to investigate the sanitary conditions of tenement, lodging, and boarding houses, and when the same are found, in the opinion of said bureau, to be a menace to those occupying the same, or employed therein, or to be overcrowded, to condemn the same, and to notify the owners or agents thereof in writing, setting forth the insanitary or overcrowded conditions thereof, and specifying in writing the changes or alterations which shall be made thereto for the purpose of relieving such conditions, and further specifying the time within which such changes or alterations shall be completed or overcrowding relieved. A duplicate copy of such notification and service thereof, attested by the officer or agent making the same on behalf of the bureau, shall, immediately after the service thereof, be filed in the court of common pleas of the county in which such condemned dwelling, premises, or other building is located; and if no appeal be filed within 10 days, by the owner or agent, after service of such notice, then an appeal shall be allowed only upon direct order of the court.

SEC. 3. Any appeal from the notification of said bureau through its authorized agents shall set forth the specific facts upon which the appeal is based, and upon filing said appeal the court of common pleas shall designate three disinterested persons to examine the buildings, dwellings, and premises, and report their conclusions whether the appeal should be dismissed, or the order of the bureau enforced, or in any way modified. Any such finding upon review and hearing by the court shall become final. The court shall have the right to fix the compensation of the persons so appointed, and such amount shall be paid by the appellant when the findings sustain in whole or in part the notification of said bureau. Upon the expiration of the time designated in the reports to the

said court, where no appeal is taken, or from the final order, after appeal, the names of those who have failed to comply, either with the notice of said bureau, or the court's order based upon appeal, shall be certified by the officer or agent of said bureau to the district attorney, who, upon receipt of the same, shall cause a prosecution to be at once instituted against such person or persons.

SEC. 4. The officers or agent of this bureau shall have at all times the right of ingress into all premises as aforementioned.

SEC. 5. Any owner or agent of any premises condemned as insanitary or overcrowded, who shall neglect to comply with the order of said bureau, or with the order of court after appeal, and who may continue to rent or use such premises in violation thereof, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined \$20 per day for each day which the premises shall have been used, and, in default of payment of the same, shall be committed to the county jail for such period as the court may direct. And these penalties shall apply to the officers of corporations, or members of firms, either as owners or agents.

SEC. 6. And any owner, agent, or occupant who interferes with, or prevents ingress to, any officer or agent of this bureau, or to the persons designated by the court for the purposes aforesaid, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$50 nor more than \$100 for each and every such offense, or suffer an imprisonment of not more than 60 days, either or both, at the discretion of the court.

SEC. 7. The necessary expenses for the salaries of officers and employees, and for the operation of this bureau, shall be paid from the general appropriation to the department of health in the form and manner prescribed for other disbursements.

SEC. 8. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

PHILIPPINE ISLANDS.

Infant Mortality—Committee to Investigate Causes of. (Act 2246, Feb. 11, 1913.)

SECTION 1. Section 1 of act No. 2116 is hereby amended to read as follows:

"SECTION 1. For the purpose of investigating the causes of the excessive infantile mortality in the Philippine Islands and the methods which should be adopted to decrease it, a committee of five members is hereby created, of whom three shall be appointed by the Governor General, with the advice and consent of the Philippine Commission, and two shall be the professor of pediatrics in the University of the Philippines and the professor of pediatrics in the University of Santo Tomas. The committee shall be immediately organized and elect a chairman from among its members, and each member shall receive as compensation 20 pesos for each day of session actually attended by him and when traveling in the Provinces on official business; but if a Government officer is appointed on said committee he shall not receive the per diems provided for by this act: *Provided, however,* That the members of this committee shall be entitled to the same traveling expenses and per diems as bureau chiefs of the insular government."

SEC. 2. Sections 3 and 4 of act No. 2116 are hereby amended to read as follows:

"SEC. 3. The committee is hereby authorized to employ a secretary, who shall be a typewriter and stenographer, and such subordinate personnel as it may deem necessary, and to purchase such stationery and office supplies, hire such transportation, and incur such incidental expenses as may be necessary for its work. The committee shall present to the third legislature during its second regular session, an exact report in English and Spanish of its work, with such recommendations and drafts of acts as may be necessary. On the same date the committee shall dissolve and be relieved of its functions.

"SEC. 4. The sum of 20,000 pesos, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the insular treasury not otherwise appropriated, to be expended by the committee for the payment of the per diems and any other necessary expenses for carrying out the purposes of this act."

Tuberculosis—Appropriation for Antituberculosis Society. (Act 2247, Feb. 11, 1913.)

On February 11, 1913, the Philippine Legislature appropriated 50,000 pesos "for the campaign for the extermination of tuberculosis by the Philippine Islands Antituberculosis Society."

Sanitary Districts—Establishment and Support of. (Act 2232, Feb. 8, 1913.)

SECTION 1. Sections 1 and 6 of act No. 2156, entitled "An act authorizing the consolidation of municipalities into sanitary divisions and the reorganization of the municipal boards of health created by act No. 308, defining their powers and duties, and providing for each Province a special fund to be known as 'health funds,' for this and other purposes,"¹ are hereby amended, so that said sections shall read as follows:

"SECTION 1. Provincial boards are hereby authorized, for the purposes of health administration, to divide their Provinces into sanitary divisions, which may comprise one or more municipalities, but not more than four, and these divisions shall become effective in a Province whenever their organization has been agreed to by at least a majority of the municipal councils concerned: *Provided,* That to dissolve such sanitary division the vote of a majority of the municipalities concerned shall be neces-

¹ This act was published in Reprint No. 200, p. 169.

sary. Any group of municipalities joined to constitute a sanitary division may have a divisional board of health organized in accordance with the provisions of act No. 308 relative to the organization of municipal boards of health.

"There shall be for each division a president, who shall be appointed by the director of health from among the persons proposed by the municipal councils concerned and recommended by the provincial board. The powers, duties, and remuneration of such president shall be fixed in the manner hereinafter provided. The president of a sanitary division shall be a duly qualified physician and shall fulfill his duties under the immediate supervision of the district health officer: *Provided*, That in emergency conditions, of the existence of which the director of health shall judge, persons with qualifications satisfying the director of health may be appointed to act temporarily as presidents of municipal sanitary divisions.

"SEC. 6. Each municipality shall set aside each year an amount not less than 5 per centum nor more than 10 per centum from its general funds and each provincial board shall set aside a like amount from its general funds, which amount, added to that appropriated by the municipalities under its jurisdiction, shall constitute a special fund to be known as 'health fund': *Provided*, That municipalities whose general funds do not exceed 3,000 pesos a year shall, upon application to the director of health, be exempted from the requirements of this section and shall in such case not be entitled to the benefits of this act.

"The health fund thus created shall be deposited with the provincial treasurer and shall be used only for the purpose of paying the salaries and traveling expenses of presidents, subordinate officers, and employees of the sanitary divisions of the Province, and the traveling expenses necessarily incurred by the same, from their place of residence, upon proceeding to their station to assume the office, upon appointment, and for the purchase of medicines, medical supplies, and disinfectants to be distributed among the municipalities concerned for sanitary and other medical purposes, and other incidental expenses for carrying out the purposes of this act: *Provided*, That, if at the close of the fiscal year there shall remain any balance in the health fund, provincial boards are hereby authorized to accumulate such balances from year to year for the purpose of establishing hospitals, benevolent institutions in the Province, or of carrying out other permanent sanitary improvements: *Provided further*, That whenever in the course of official service any president of a sanitary division travels to visit or attend any pay client or patient, he shall not be entitled to reimbursement for any traveling expenses incurred in this latter regard and shall state in a sworn voucher to accompany his claim for reimbursement that the claim does not include any such expense."

Drugs—Dentists Authorized to Prescribe Certain. (Act 2205, Jan. 16, 1913.)

SECTION 1. Duly registered dentists are hereby granted the right granted by act No. 1761 to physicians, to prescribe and administer opium, cocaine, alpha or beta eucaine, or any derivative or preparation of said drugs or substances as a medicine for dental purposes, subject to the regulations prescribed by the collector of internal revenue and approved by the secretary of finance and justice.

Vessels—Sanitary Regulations for. (Philippine Marine Reg., Jan. 1, 1913.)

PAR. 57. A Government sanitary inspector of vessels at the port of Manila may be appointed by the insular collector of customs. The duties of such sanitary inspector shall be to inspect carefully all passenger-carrying vessels and compel compliance with the sanitary regulations prescribed herein.

PAR. 58. All sanitary inspections of vessels shall be made by daylight, as late as practicable before sailing, and before the passengers go aboard, if possible. Prior to stowing cargo or receiving passengers vessels shall be mechanically clean in all parts, especially the holds, forecastle, steerage quarters, and state-rooms, and the bilges and limbers free from dirt and deposit; and any portion

of a vessel liable to have been infected by a communicable disease shall be thoroughly disinfected before sailing. The air space, ventilation, food and water supply, hospital accommodations, and all other analogous matters shall be promotive of the health and comfort of the passengers and crews of all vessels.

PAR. 59. Only distilled or sterilized water shall be issued to the passengers or crews of vessels for drinking purposes. The sanitary inspector shall from time to time obtain samples of the drinking water used on vessels and submit them to the proper authorities for determination of their purity. At the end of every voyage the tanks carrying water for drinking purposes shall be emptied and thoroughly treated with live steam before being refilled. Clean water shall be furnished for bathing purposes.

PAR. 60. Galleys, or places where food is prepared for eating, shall be located as far as possible from all water-closets or urinals, and no garbage or other waste material shall be allowed to collect either in receptacles or on the decks in or about the galleys, but shall be disposed of without delay. If garbage chutes are used they shall be kept clean by daily washings with sand and water, and shall be further cleansed at the end of each voyage in the manner herein prescribed for ice boxes. Cooked food left standing in the galleys or any other part of the ship shall be protected from flies by the use of proper screens. All utensils of whatever kind used in the galleys shall be rendered mechanically clean by the use of boiling hot water and a suitable washing powder or sand after every time of using.

PAR. 61. Ice boxes shall be emptied and thoroughly cleansed with boiling hot water at least once weekly, and at the end of each voyage they shall be thoroughly washed out with a solution of potassium permanganate in the strength of 1 to 3,000. (A solution sufficient in quantity for the ordinary ice box may be made by dissolving 260 centigrams, or 40 grains, of the crystals of permanganate of potash in 8 liters, or 2 gallons, of water.)

PAR. 62. The decks of all vessels engaged in the general coastwise traffic shall be washed down with sand and water daily, and those portions occupied by steerage passengers at least twice daily. Portions of unused food or other debris shall not be allowed to collect on the decks or in the scuppers.

PAR. 63. All passenger-carrying vessels engaged in the coastwise trade shall have a sufficient supply of linen tablecloths and napkins for dining tables to insure that those in use shall be clean. All cooking and table utensils and crockery shall be thoroughly washed with boiling hot water after every time of using. Bed linen, toilet articles, and other equipment in staterooms and steerage shall be of standard quality and shall be kept scrupulously clean.

PAR. 64. Water-closets for each class of passengers, sufficient in size and number to meet their requirements, shall be supplied on all certified passenger-carrying vessels; and in addition to those provided for third-class passengers there shall be a water-closet for the exclusive use of the crew, when, in the judgment of the insular collector of customs, this is necessary. Water-closets shall be well ventilated and shall be kept in a cleanly and sanitary condition by proper flushing after each time of using and by thorough washing down at least once daily. They shall be kept free from offensive odors by daily treatment with a 10 per cent solution of formalin or other approved disinfectant. It shall be the duty of the ship's officers to prevent the crew and steerage passengers from depositing excreta upon the decks or in the scuppers or in any place aboard other than the water-closets provided for herein; and said officers shall be held responsible if this or any other sanitary provision is not carried out properly.

PAR. 65. One or more bathrooms for each class of passengers shall be supplied on all passenger-carrying vessels making regular voyages of more than 36

hours' duration, and ships' officers shall be held responsible for the sanitary condition of bathrooms and surroundings.

PAR. 66. Cooks, stewards, and all other persons engaged in preparing or serving food shall be free from dangerous communicable diseases, and the sanitary inspector shall report all suspected violations of this regulation to the collector of customs, who will request the quarantine officer of the port to ascertain if the suspected person is so infected.

PAR. 67. No passenger or member of the crew shall be allowed to expectorate on the decks or in the scuppers of vessels, and ships' officers shall be held responsible for the enforcement of this prohibition.

PAR. 68. Masters shall make an inspection of their vessels each day when at sea for the purpose of maintaining a rigorous cleanliness in all portions thereof, and shall take such measures as may be necessary to destroy rats, mice, roaches, and other vermin.

PAR. 69. That class of light-draft vessels known as ferryboats plying on the waters of Manila Bay, Pasig River, and Laguna de Bay, and all other vessels having the status of ferryboats which navigate in Philippine waters shall be equipped as follows: Each such vessel shall be provided with a galvanized-iron water can of ample size, having a faucet and a tight-fitting cover secured with a lock. Said water cans shall be placed high enough from the deck so that faucets may be easily reached. Nothing but boiled or distilled water shall be put into these cans. There shall be installed in a suitable place or room a sufficient number of pails of the dry-earth variety for the accommodation of the average number of passengers carried. Several extra clean pails shall always be carried for use in case of necessity. Under no conditions are these pails to be emptied into the river; but upon return to Manila or to hailing port they shall be turned over to the city department of sanitation and transportation for disposal, and clean pails shall be received from that department to take their place. Galvanized-iron garbage cans of sufficient size, with tight-fitting covers, shall be installed and shall be placed at night on the river shore for emptying by the regular city scavengers. A kitchen sink for the purpose of washing dishes shall be installed, with a drainage pipe connected thereto. A urinal of the trough variety shall be installed for the use of male passengers, arranged so as to be kept constantly flushed by running water, the drainage pipe therefrom to be led overboard.

(a) The foregoing provisions as to dry-earth and garbage pails shall not apply when the local United States Marine-Hospital Corps medical officer, or where there is no such officer the chief medical officer of the government of the Philippine Islands, shall certify that the use of such dry-earth and garbage pails on ferryboats plying in his district is unnecessary.

PAR. 70. The Government sanitary inspector of vessels shall satisfy himself by personal inspection that the conditions required by these regulations have been complied with, and shall so certify to the collector of customs before clearance is granted.

PAR. 71. The failure of any vessel owner, agent, or master to comply with these regulations or the personal instructions of the sanitary inspector relating to sanitation and cleanliness shall be immediately reported to the collector of customs.

PAR. 72. At all ports of the Philippine Islands other than Manila the surveyors or other officers designated by the collector of customs shall be sanitary inspectors of vessels for the enforcement of the sanitary regulations herein provided.

PAR. 73. The sanitary provisions herein contained shall not be considered as abrogating quarantine rules and regulations now or hereafter in force.

PORTO RICO.

Institute of Tropical Medicine and Hygiene—Organization and Duties. (Act 58, Mar. 13, 1913.)

SECTION 1. That the present Institute of Tropical Medicine shall be known as "The Institute of Tropical Medicine and Hygiene of Porto Rico." It shall be for the purpose of cooperating in the continuance of the campaign against uncinariasis and other transmissible diseases for the investigation of such diseases in the island of Porto Rico and for the instruction of sanitary officials in special diseases of this country and latitude.

SEC. 2. The institute will be composed of the director of sanitation ex officio, the director of the bacteriological laboratory ex officio, and of one physician, resident of Porto Rico, and experienced in tropical medicine, who shall be appointed by the governor: *Provided*, That the director of sanitation shall be in charge of the financial and administrative responsibilities of the institute: *And provided further*, That the governor of Porto Rico be, and hereby is, authorized on the recommendation of the institute to request of any department or departments of the Federal Government the detail of one or more medical officers of the department or departments, who shall be experienced in tropical medicine to cooperate with the institute and who shall be ex officio members thereof. But under no circumstances will the institute consist of more than five permanent members.

SEC. 3. The director of sanitation will designate an employee of the service of sanitation, who shall act as secretary of the institute, and who shall serve without additional compensation.

SEC. 4. The permanent members of the institute shall receive the sum of \$3,600 annually: *Provided*, That any permanent member who has a salary from the Insular or Federal Government shall be entitled to an additional compensation equivalent to the difference between such salary and that provided by this act for said permanent members.

SEC. 5. No salary shall be paid any person already receiving from the Insular or Federal Government a compensation equal to or exceeding \$3,600 annually.

SEC. 6. The permanent members of the institute shall have full control of the scientific work of the institute and they shall be the only ones authorized to prepare for publication such reports and special studies as from time to time may be considered of scientific value.

SEC. 7. The governor, upon the recommendation of the institute, shall appoint an entomologist at a salary not to exceed \$2,500 annually, and such associate members of the institute as may be deemed necessary for the more perfect working thereof. These associate members shall receive a compensation of \$10 per day when actually on duty. When not actually on duty, they shall continue to be carried on the rolls as "associate members of the institute," without pay.

SEC. 8. The permanent members of the institute, and the associate members when actually on duty with said institute, during the time that they may be on expedition outside of the locality where they reside shall be allowed actual traveling expenses: *Provided*, That the institute shall be located in the city of San Juan.

SEC. 9. At the request of the permanent members of the institute, the director of sanitation will furnish them with the facilities for any expeditions authorized by them, and will employ the personnel for such expeditions and for special work, subject to the approval of the governor.

SEC. 10. The institute shall be permitted to utilize the laboratory of the sanitation service and such beds and rooms in hospitals under his control as the director of sanitation may consider available, provided that no work undertaken in the laboratory shall interrupt the current laboratory work of the sanitation service.

SEC. 11. For the purpose of defraying all kinds of expenses of said institute, there is hereby appropriated the sum of \$20,000, or so much thereof as may be necessary, and this sum shall be disbursed in accordance with the provisions of this law.

SEC. 12. All laws or parts of laws in conflict herewith are hereby repealed.

Rats—Trapping of, and Protection of Food Against. (Proclamation Jan. 2, 1913.)

The following amendment to section 3 of Sanitary Rules and Regulations No. 3, as promulgated in Administrative Bulletin No. 45, having been approved by the Executive Council on October 17, 1912, is hereby promulgated for the information and guidance of all concerned:

SECTION 1. Section 3 of the Rules and Regulations, entitled "Sanitary Rules and Regulations No. 3—Ratproofing of all buildings and outhouses in Porto Rico," approved July 11, 1912, is hereby amended to read as follows:

"SEC. 3. In no dwelling house or building shall food, remnants of food, or other matter which may be made use of by rats, be kept, except when placed in pantries, storerooms, or receptacles constructed so as to be inaccessible to said rodents. Any person occupying said houses or buildings, whether tenant, owner, or lessee, shall supply the same with one or more rat traps of a pattern approved by the director of sanitation, which traps shall be set and baited, the bait to be changed twice each week. The aforesaid traps shall be inspected daily by the owner or lessee, and all rats captured therein may be sent to the department of sanitation or the same shall be delivered to an authorized employee thereof, who may also inspect the said traps from 8 a. m. to 6 p. m.: *Provided*, That the owner or lessee may destroy the said rats by fire when not collected by the employees of the sanitation department within the time of 24 hours from and after the capture thereof."

Communicable Diseases—Service of Sanitation to Establish Hospitals for the Treatment of. (Act 44, Mar. 13, 1913.)

SECTION 1. The service of sanitation is hereby authorized to create and establish, and is ordered to create and establish, an insular hospital in each one of the seven districts into which the island of Porto Rico is divided. Said hospital shall serve for the treatment of the sick suffering from transmissible and contagious diseases in the respective districts, especially tuberculosis and uncinariasis, as well as all those cases of sickness which can not be attended to in the municipal hospital.

SEC. 2. Said hospital shall be constructed in each district in the most adequate and hygienic locality to be determined by the service of sanitation upon recommendation of the insular board of health. For the organization and management of these sanitary institutions the director of sanitation will prepare the regulations.

SEC. 3. That the commissioner of the interior is hereby authorized and directed to order that such improvements as may be required be made on the lands obtained for the location and construction of the seven hospitals and to carry out the provisions of this act, and all projects and plans for improving buildings or constructions shall be made with future enlargement in view and executed in accordance with the legislation in force and must be previously approved by the insular board of health upon recommendation of the director of sanitation: *Provided*, That each hospital will have the number of beds which may be necessary to attend to local necessities.

SEC. 4. That for the purpose of complying with the provisions of the preceding section there is hereby appropriated such amount as may be necessary from any

funds in the insular treasury not otherwise appropriated, but the total sum to be expended shall not exceed \$120,000 or so much thereof as may be necessary.

SEC. 5. The director of sanitation will appoint the medical superintendent of each one of these hospitals, as well as the assistants and subordinate personnel, necessary for the performance of the duties. The Executive Council is authorized to fix the salaries of all the employees of the hospitals, if the same shall not have been fixed already in the budget.

SEC. 6. That all laws or parts of laws in conflict herewith are hereby repealed.

Communicable Diseases—Funerals—Preparation of Bodies. (Proclamation Nov. 10, 1913.)

The following amendment to section 11 of Sanitary Rules and Regulations No. 11, entitled "Regulations governing the removal of corpses, cemeteries, burials, disinterments and cremations," as promulgated in Administrative Bulletin No. 57, having been approved by the executive council on November 4, 1913, is hereby promulgated for the information and guidance of all concerned:

SECTION 1. Section 11 of Sanitary Rules and Regulations No. 11, entitled "Regulations governing the removal of corpses, cemeteries, burials, disinterments and cremations" is hereby amended to read as follows:

SEC. 11. Funeral services, with the body present shall not be held in church or in any place, for persons who have died of smallpox, Asiatic cholera, yellow fever, exanthematous typhus, bubonic plague or cerebrospinal meningitis. The bodies of persons who have died of any other diseases may be taken to the church or to any other place for such services provided that said bodies have been wrapped in sheets wet with an antiseptic solution, the formula of which shall be prescribed by the service of sanitation, and placed in a coffin hermetically sealed; and provided further that the death certificate issued by the attending physician has been countersigned by the health officer or his delegate.

Tuberculosis—Appropriation for Prevention of the Spread of. (Act Feb. 25, 1913.)

SECTION 1. That the sum of \$10,000 be, and the same is hereby, appropriated, out of any funds in the insular treasury not otherwise appropriated, to be expended under the direction of the Anti-Tuberculosis League in connection with their hospital and sanitarium in Porto Rico, or in otherwise combating the spread of tuberculosis.

SEC. 2. That upon the recommendation of the insular board of health the governor shall appoint a physician, duly authorized to practice his profession in Porto Rico, to attend the intercolonial conference on the subject of tuberculosis in the West Indies, to be held at Port of Spain, Trinidad, March 25, 1913.

SEC. 3. The physician so appointed shall receive no compensation for his services, but shall be allowed a sum not exceeding \$800, payable from the appropriation for the Anti-Tuberculosis League, to cover the expenses that such delegate may incur in attending such convention.

SEC. 4. That the auditor of Porto Rico be, and is hereby, authorized and instructed to audit all accounts under the provisions of this act and to provide rules and regulations for the same.

SEC. 5. All laws or parts of laws in conflict herewith are hereby repealed.

Rat Proofing of Buildings. (Proclamation Jan. 28, 1913.)

The following amendments to sections 2, 4, 7, and 10 of Sanitation Rules and Regulations No. 3, as promulgated in Administrative Bulletin No. 45, having been approved by the Executive Council on January 24, 1913, are hereby promulgated for the information and guidance of all concerned:

SECTION 1. Sections 2, 4, 7, and 10 of the rules and regulations entitled "Sanitary Rules and Regulations No. 3, governing the construction and making rat proof of all

buildings and outhouses in the island of Porto Rico," approved July 11, 1912, are hereby amended in the following manner:

"Sec. 2. In houses and buildings already constructed the following rules shall be observed:

"Dwelling houses and buildings intended for dry goods stores, warehouses, or factories therefor, dressmaking establishments, banks, and offices which have the floor of the lower story of wood shall be made rat proof by (1) raising the floor to a height of at least 2 feet from the ground, with all underpinnings free, or (2) shall have all space beneath flooring made rat proof by a foundation wall of stone or concrete extending below the surface of the ground to a depth of 2 feet and fitting flush to floor of house. All decayed wood must be replaced.

"Sec. 4. Roofs, garrets, courtyards, yards, alleys, cellars, and any other open space belonging to houses or buildings must be kept free from food, garbage, forage, and other material which may serve as food or as a refuge for rats. All masonry walls surrounding courtyards and yards which are not in good condition shall be made rat proof by being reinforced on the inner side with concrete to a depth of 2 feet below surface and 2 feet above level of ground.

"Sec. 7. Every building the lower story of which is not intended for any of the uses specified in section 2 of these rules and regulations shall have the floor of the said lower story constructed in the following manner:

"(a) Those intended for markets, piers, or storehouses for provisions at wholesale must necessarily have the floor of the lower story of concrete.

"(b) Buildings intended for any other use shall also have the floor of concrete or plaster, except in localities in which, due to the nature of the ground or to the natural situation, the lower story of the building is at a height greater than 2 feet above the level of the ground, in which case wooden floors may be used: *Provided*, That the distance between the ground and the said floor be maintained (at least on three of its sides) absolutely free and with all underpinnings free: *Provided further*, That if it should have one or more of its sides at a height less than 2 feet the same must rest upon a wall of stone or concrete, which shall extend below the surface of the ground to a depth of 2 feet and be raised 2 feet above the level of same.

"(c) Buildings the lateral and rear walls of which are below the level of the ground or street must necessarily have the floor of concrete or plaster, surrounded by a concrete or masonry wall extending 2 feet above the level of the floor and 2 feet below the surface of same.

"Sec. 10. Stables and stalls within the city limits must fulfill the following conditions:

"1. Each horse cared for shall have a space of not less than 5 square meters.

"2. The floor shall be of concrete and with an adequate slope as of one-eighth of an inch per foot and with a wall of concrete or stone extending 2 feet below the surface of the ground.

"3. Upon this concrete floor may be placed planks for a floor for the horses; this to be made in sections so that it may be easily raised. The boards which form the floor shall be separated from each other by at least 2 inches.

"4. The sections or parts of the floor must be raised once a week in order to do the necessary cleaning.

"5. Each stable shall be provided with a well, lined with cement, in which to deposit the manure, the well to have a capacity of at least one-fourth of a cubic meter for each horse. Said receptacle shall have a tight-fitting cover divided into two sections.

"6. The manure shall be placed in said receptacles and carefully covered. The cleaning of said wells or receptacles shall be done once a week and the manure carried to the place which the director of sanitation may designate.

"7. The stable, stall, and manger and their surroundings must be kept strictly clean.

"8. Grain to be used as food for the live stock shall be kept in a rat-proof box.

"9. Each manger shall be placed at a minimum distance of 2 feet from the wall of building and its sides shall have a slope of 2 inches toward the bottom and shall be covered with tin or zinc, and the said manger shall be at least 18 inches deep to avoid the spilling of food."

Sanitary Regulations—"Urbe" and "Urban Zone" Defined. (Proclamation Dec. 22, 1913.)

The following amendment to Sanitary Rules and Regulations Nos. 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, and 16, as promulgated in Administrative Bulletins Nos. 44, 45, 46, 47, 52, 53, 55, 56, 57, 60, 61, and 63, respectively, having been approved by the executive council on December 11, 1913, is hereby promulgated for the information and guidance of all concerned:

SECTION 1. The following article will be inserted after section 18 of Regulations No. 2, governing tenement houses; after section 11 of Regulations No. 3, rat-proofing of all buildings and outhouses in Porto Rico; after section 6 of Regulations No. 4, garbage; after section 11 of Regulations No. 5, governing the keeping of dogs, the suppression of stray animals, and prevention of rabies; after section 80 of Regulations No. 7, plumbing and sewerage in Porto Rico; after section 19 of Regulations No. 8, for the extinction of mosquitoes in the island of Porto Rico; after section 11 of Regulations No. 9, amending rules and regulations for the collection of garbage and refuses after section 3 of regulations No. 10, governing smoke and the use of soft or bituminous; coal; after section 40 of Regulations No. 11, governing the removal of corpses, cemeteries, burials, disinterments, and cremations; after section 31¹ of Regulations No. 14, governing the keeping of houses and outhouses in sanitary condition, and to regulate construction in cities, towns, and villages; after section 10² of Regulations No. 15, amendments to Regulations No. 3, rat-proofing of all buildings and outhouses in Porto Rico; and after section 1 of Regulations No. 16, amending Regulations No. 5, governing the keeping of dogs, the suppression of stray animals, and prevention of rabies:

SEC. That the words "urban zone," wherever they may appear in these regulations, will be understood to be substituted by the word "urbe," (a) which means, so far as this regulation is concerned, every conglomeration of buildings, streets, plazas, gardens, parks, etc., wherein the functions of the collective lives are developed with that harmony, efficacy, and convenience that characterizes the individual life. (b) Every "urbe," whatever may be its extension, is formed by three fundamental parts constituting same—the urban nucleus, primitive center of the urbe, around which later on the urban zone develops as periphery of the same, and finally the suburbs which are prolongations or extensions, adjacent or not, to said "urban zone."

Buildings, Yards, and Vacant Lots—Sanitary Maintenance of. (Proclamation Jan. 28, 1913.)

SECTION 1. All houses, edifices, and outhouses are subject to sanitary inspection by the service of sanitation in accordance with the provisions set forth in section 30 of the law of sanitation now in force, and the owners, lessees, and tenants of same are under obligation to carry out the sanitary repairs or alterations which may be ordered in each case, and also to limit the number of inhabitants in proportion to the air space of each room.

SEC. 2. The owner or tenant, as the case may be, must see that all the different sections of the house are kept strictly clean; that no household waste or rubbish is allowed to accumulate therein, nor on flat roofs, in yards, alleyways, and environs;

that no water is allowed to stagnate; and that no coconut husks, empty cans, nor injurious substances, nor such as may be used as food or shelter by rats, be thrown out. Building material shall only be allowed to be deposited in vacant spaces when the house itself is to undergo repairs.

SEC. 3. Gardens, parks, and vacant lots must be kept clean, but the right is reserved to cultivate therein flowers, plants, or grass, fruit trees or coconut trees, the latter to be properly protected against rodents.

SEC. 4. All vacant lots or unimproved sites which are within the urban zone, or within a town, must be fenced in and kept clean from underbrush, provided that said vacant lots or parcels of land may be utilized for gardens or orchards. They shall not be used as permanent deposits for lumber and other building material nor for second-hand articles, nor as a dumping place for rubbish, unless the same shall be burned within a maximum period of 48 hours.

SEC. 5. All houses or edifices must be provided with water for domestic purposes to the quantity of not less than 150 available liters for each inhabitant. They shall also be provided with a sufficient number of faucets on each floor.

SEC. 6. When, for lack of payment of water taxes, any municipality shall proceed to cut off the water supply from any house or edifice, said municipality shall immediately forward to the director of sanitation a list of such contributors as have failed to make payments, specifying the name, place of residence, and sums charged to each, and as soon as this list has been received the director of sanitation shall immediately notify the owner, owners, or agent of the said house or edifice, who within a period of 24 hours (which period can not be extended), dating from the receipt of said notification, shall proceed to pay in full all taxes and overcharge dues for which he is indebted.

SEC. 7. If said owner, owners, or agent shall fail to pay the said amount in full within the specified time the director of sanitation or sanitary authority to whom the right may appertain shall pay the account in full, and the municipality shall at once renew the water supply.

SEC. 8. The sanitary authority shall notify the owner, owners, or agent that within another period of 24 hours the amount paid out by the sanitary authority must be refunded to the director of sanitation, as well as all expenses incurred, in accordance with article 31 of the law of sanitation now in force; and if the owner, owners, or agent should refuse to refund said amount after receiving notification of same, he shall be liable to punishment in accordance with article 33 of the law of sanitation, without prejudice to the liability incurred under the civil law and to the fees which, for filing notification of the expenses incurred, are authorized in the last paragraph of article 33 of the law of sanitation.

SEC. 9. In all houses or edifices, all cisterns, tanks, or other deposits for water shall be kept in such manner that they will not impart dampness to the living rooms and that they will not receive filtrations from pipes or cesspools, and they shall be kept tightly covered with mosquito-proof wire-screened covers, and only such fountains and jets of water as shall be constantly supplied with running water shall be allowed.

SEC. 10. In houses or edifices which are equipped for occupancy, an adequate number of baths and showers shall be installed, and this requirement shall be essential if intended for rental.

SEC. 11. The floors of bathrooms, kitchens, and water-closets must be of impermeable material, and the walls, if of stone, must be reenforced to a height of 1½ meters with the same material, and if of wood must be painted in oil paints.

SEC. 12. Kitchens shall be provided with chimneys and hoods which will insure the free outlet of smoke and gases. Said chimneys must be kept constantly in good working order, provided that this section shall not be applicable to kitchens in which electricity, gas, or oil is used.

SEC. 13. All houses or edifices, as well as outhouses and the plumbing systems of same, must be kept in good sanitary condition. Inner walls, as well as all doors and windows, must be kept smooth and free from cracks and properly painted or white-washed. In localities where wooden buildings are authorized, care shall be taken to see that the walls and beams of same are kept in good condition, free from rotten or worm-eaten wood and that they are properly painted. The roofs shall be kept in good condition so as to avoid dampness within the dwelling. Roofs, ceilings, double partitions, walls, and floors shall be kept in rat-proof condition.

SEC. 14. No underground cellar or room shall be used as a dwelling. When one of the sides of the floor, however, is situated above the natural level of the site, the same may be inhabited, but no part of a site whose floor is situated more than $1\frac{1}{4}$ meters below the natural level of the soil may be destined for habitation. The outside walls and floors of these sites must be rendered impermeable to moisture by building them of concrete or by reenforcing those made of stone with the same impermeable material, and in every case they must be situated on lands that are well drained.

SEC. 15. In towns provided with aqueducts, sewers, or sewerage system, all houses and edifices must be provided with water-closets which have been approved and have therefore been accepted as serviceable and which have free discharge into the said sewer, to the exclusion of any other system of latrine. In towns not provided with aqueducts or sewerage system and where cesspools have to be used, the same shall be built at a distance of not less than 10 meters from wells, cisterns, bedrooms, and kitchens, or as far as possible therefrom within the limits of the property, but the director of sanitation shall be notified in order that he may dictate in each case the requirements of such construction. Said cesspools shall be kept proof against inundations from rainfall. In both cases said installations shall fulfill the requirements set forth in the regulations governing plumbing, approved September 5, 1912.

SEC. 16. The owner or agent of any house or edifice must have drains and cesspools cleaned before they get too full and overflow. He shall also see that said drains and cesspools are treated with quicklime, calcium chloride, creoline, or any other disinfectant, when the service of sanitation shall, for any special reason, so require it. He shall also see that any deficiencies in the construction of water-closets, latrines, drains, or cesspools which may be the cause of troublesome emanations be corrected.

SEC. 17. Garbage and other household refuse shall be deposited in metal receptacles, which shall be provided with handles and with a tight-fitting cover, the said receptacles to be in good condition, free from cracks and holes through which the contents may leak out. They shall be placed at the greatest possible distance from the living rooms, provided that said garbage and refuse may be burned every 48 hours, when the house or edifice has sufficient and appropriate land pertaining to it upon which said burning may take place without detriment to public health.

SEC. 18. In no case shall hogs or pigs be allowed to be kept in yards, corrals, or environs of any house or edifice within the urban zone or within a town nor within a distance of 100 meters from the limits of said urban zone or of a town, provided that this disposition does not apply to the corrals of the slaughterhouses.

SEC. 19. The installation of stables and barns within the urban zone or in a town shall not be authorized unless these same shall be built in well-ventilated sites and shall be maintained in accordance with the specifications set forth in the rules and regulations governing the construction and making rat proof of all buildings and outhouses in the island of Porto Rico, approved July 11, 1912.

SEC. 20. If barnyard fowls are kept within the urban zone, a rat-proof feeding place shall be built, the floor of which shall be at least 2 square meters, shall be made of concrete and may be covered with clean sand or gravel. The walls shall be sunk in the ground to a depth of 2 feet and extend 1 foot above the level of the floor. The floor and walls shall be at least 4 inches thick, the sides and roof shall be of one-half inch mesh wire netting or of any other rat-proof material. It shall be provided with

only one door, which shall be kept closed except when in use for the ingress and egress of the fowls. It is essential that the fowls be fed only within this inclosure.

SEC. 21. When, upon inspection by the service of sanitation as referred to in section 1 of these rules and regulations, any house or edifice or part of the same shall for any reason be found to be unhealthy, the director of sanitation shall inform the owner or agent of the said house to this effect in writing and shall fix a period of time within which the work of repairs or improvements must be finished, said limit of time to be fixed according to the importance of the work to be done. If at the expiration of the said period the work shall not have been completed, the director of sanitation may declare said house or edifice or part of same to be uninhabitable, and may order its closure within a period of not less than 30 days, and it shall be kept closed until the work is completed.

SEC. 22. The owner or agent of any house or edifice which is occupied by two or more families who live in separate parts shall be responsible for any infringement of these regulations not otherwise provided for herein, which may occur in connection with the parts of the house in common use, such as vestibules, yards, staircases, cisterns, wells, and alleyways, without prejudice to the action which for open violations of the regulation in each case is hereby conferred in favor of the owner or agent against the tenant or person who is found to be directly responsible. Equally, the owner or representative of any untenanted house or edifice shall be responsible for any infringement of these regulations which may take place in connection with same. Tenants of houses, apartments, flats, or edifices shall also be responsible for the infringements of these regulations which may occur in the other parts of the house or flat, and which are not included in the previous paragraphs.

SEC. 23. No houses or edifices within the urban zone or within a town or within 100 meters of one or the other shall be allowed to be built, rebuilt, totally or partially, or changed or altered unless the plans for same shall have been presented to the director of sanitation for approval. Said plans shall be presented in triplicate, one copy of which will be retained for the files of the service of sanitation. The plans shall contain a detailed account of the arrangement and dimensions of the foundations, floors, and roofs, and if the director of sanitation so wishes he may demand other details. If asked for, specifications and explanations shall accompany said plans. If reinforced concrete or steel frames are used, the dimensions of all details shall be presented. Latrines or water-closets must be indicated in all plans. If the same are not approved, the defects and means for correcting the same shall be noted on the plans and the same returned to sender within a period of 10 days, provided that nothing in this section shall be understood to be contrary to the dispositions of the department of the interior and the municipal ordinances governing construction plans now in force.

SEC. 24. No newly built house or edifice which has been reconstructed or altered, partially or completely, may be utilized until the same shall have been inspected by the service of sanitation for the purpose of ascertaining whether the approved plans have been duly carried out, the said inspection to take place within a period of 10 days.

SEC. 25. Every newly constructed house or edifice shall have an open space which shall be used as yard, said space to be in the proportion of 20 per cent of the area built upon.

SEC. 26. In houses or edifices used as dwelling places the capacity of each room shall be not less than 22.75 cubic meters. They shall receive their light directly from street, yard, garden, or passageway, the total area of the doors and windows shall be not less than one-fifth of the area of the floor of each room, and at least one-fifth of the area of the openings shall be disposed of in such manner as to insure ventilation when the doors and windows are closed. The total area of the floor of each room shall be at least 7 square meters, the width of the same shall be not less than 2½ meters, the height from floor to ceiling shall be not less than 3.25 meters, and the length shall not exceed twice the altitude.

SEC. 27. The height of every house or edifice measured from the middle point of its façade between the level of the sidewalk and the roof line shall not exceed the following dimensions taken with relation to the width of the road or street: A height of 20 meters for a road or street not exceeding 10 meters wide; a height of 30 meters for a road or street not exceeding 15 meters wide; and a height equal to twice the width for a road or street exceeding 15 meters wide.

SEC. 28. Every newly built house or edifice of more than three stories shall be made fireproof and shall be provided with a fire escape on each floor.

SEC. 29. The floors of the ground-floor rooms shall be raised above the level of the yard, and this in turn above the street level, and where this is not feasible, direct authorization shall be given by the department of sanitation, who shall dictate the measures necessary to be adopted in each case with relation to these regulations and shall see that they be obeyed. Said floors shall be built of concrete or other approved impermeable material, the right being reserved to floor same with boards in rat-proof style. Where wooden floors for the lower-story rooms are allowed, they shall be constructed in accordance with sanitary regulation No. 3, entitled "Rat proofing of all buildings and outhouses in Porto Rico, as amended January 2, 1913." The floors of courtyards shall be made of cement or other impermeable material and shall have sufficient slope to insure drainage, provided that there may be spaces for grass plots or flowers if the same are kept in good condition.

SEC. 30. The discharge pipes from roofs, sheds, flat roofs, water-closets, urinals, sinks, and drains shall be of cast iron or such other material as shall be approved by the director of sanitation, and their location shall be approved by the director of sanitation.

SEC. 31. The room in which a latrine is installed shall be in the yard or in any other light and well-ventilated place, the floor shall be of concrete or other impermeable material, and the total area shall be at least 1½ square meters. It shall be provided with a door of proportionate size and with an opening 60 centimeters square immediately beneath the roof or covering. Where there is no aqueduct, said place shall be completely separated by a partition wall from the kitchen, dining room, sleeping rooms, and pantry.

SEC. 32. Every infraction of any of the provisions of these regulations shall be punished in accordance with the provisions of section 33 of "A law to reorganize the service of sanitation," approved March 14, 1912, and in defect of this shall be liable to punishment as under the Civil Code.

SEC. 33. Every ordinance or regulation not in accord with this regulation is hereby annulled. These rules and regulations shall have the force and effect of law as soon as approved by the executive council and promulgated and published in accordance with the provisions of section 13 of "A law to reorganize the service of sanitation," approved March 14, 1912.

Buildings—Light and Ventilation. (Proclamation Dec. 22, 1913.)

The following amendments to Sanitary Rules and Regulations No. 14, entitled "Rules and regulations to govern the keeping of houses, edifices, and outhouses in sanitary condition, and to regulate construction in cities, towns, and villages," as promulgated in Administrative Bulletin No. 60, having been approved by the executive council on December 11, 1913, is hereby promulgated for the information and guidance of all concerned:

SECTION 1. Section 26¹ of Sanitary Rules and Regulations No. 14, "Governing the keeping of houses and outhouses in sanitary condition, and to regulate the construction in cities, towns, and villages," is hereby amended so as to read as follows:

"SEC. 26. In the houses or edifices used as dwelling places the capacity of each living or sleeping room shall not be less than 22.75 cubic meters; and each room,

¹ Page 423.

including the bathroom and water-closet, shall receive light and ventilation directly from the street, yard, or garden when possible, and in each room the area of the openings to the outside air shall be not less than one-fifth the area of the floor, at least one-fifth of the area of the outside openings shall be disposed of in such manner as to insure ventilation when the doors and windows are closed. All inside doors shall be provided further with open transoms for ventilation, the height of which shall not be less than 30 centimeters. The total area of the floor of each living or sleeping room shall be at least 7 square meters, the width of the same shall be not less than 2½ meters, the height from floor to ceiling shall be not less than 3 meters, and the length shall not exceed twice the height. Kitchens shall have an area of at least 4 square meters and shall be ventilated the same as living rooms.

"All new dwelling houses, the walls of which are less than 2 meters from the side lines of the lot, shall be provided with courts to afford ventilation as above set forth; the width of said courts shall be not less than 3 meters, and if the court is inclosed, the length shall be not less than 5 meters. When the building is constructed with an open space between the lot lines and the side walls, the width of the court shall be measured from the side lines of the lot.

"No court hereafter erected for ventilation purposes shall be covered by a roof or skylight, but every such court shall be open, except when the first floor is used for mercantile purposes, in which case the court shall be open from the top of the first floor to the sky."

Plumbers—Licensing of. (Proclamation Jan. 2, 1913.)

The following amendments to sections 9 and 13 of Sanitary Regulations No. 7, entitled "Regulations governing plumbing and sewerage in Porto Rico," as promulgated in Administrative Bulletin No. 52, having been approved by the Executive Council on December 27, 1912, are hereby promulgated for the information and guidance of all concerned:

"Sec. 9. Applicants for licenses as journeyman plumbers must be at least 18 years of age, and applicants for licenses as master plumbers must be at least 21 years of age and properly qualified as to knowledge and experience in the plumbing business. The application must be made to the plumbing board on blank forms provided for the purpose and must be accompanied by a certificate of good character and a statement as to the time that the applicant has been engaged in the plumbing business, said certificate to be signed by at least three reputable citizens of Porto Rico.

"Sec. 13. For the licenses issued, as provided in section 7 hereof, master and journeyman plumbers shall pay, respectively, \$5 and \$2, as provided by section 5 of the law of sanitation. Upon the payment of said license dues, the director of sanitation shall issue badges to said plumbers, which shall be worn by them while on duty, and shall be shown upon request to any plumbing inspector or health officer: *Provided*, That applicants for licenses as journeyman plumbers proceeding from the Boys' Charity School shall be exempted from the payment of \$2 as license dues."

RHODE ISLAND.

Communicable Diseases. (Chap. 939, Act Apr. 29, 1913.)

SECTION 1. Chapter 110 of the General Laws, entitled "Of regulations for the prevention of infectious and contagious diseases," is hereby amended by adding thereto the following section:

"SEC. 35. Contagious or infectious disease or distemper as referred to in this chapter shall include every disease or distemper which the State board of health shall consider communicable. 'Suitable quarantine' shall be considered as meaning the isolation of the person or persons having the disease or distemper, and of such other persons as may by contact or association with the affected person become, in the judgment of the State board of health, carriers of contagion, the period of time, the manner of such isolation, and the method of cleansing and disinfection shall be in accordance with the rules and regulations made from time to time by said board."

SEC. 2. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

Appropriations for State Board of Health. (Chap. 926, Act Apr. 23, 1913.)

SECTION 1. The following sums or so much thereof as may be authorized by law are hereby appropriated to the objects hereinafter expressed, for the fiscal year ending on the 31st day of December, 1913, to be paid out of the several appropriations herein mentioned; and the State auditor is hereby authorized to draw his orders for such portion thereof as may be required from time to time, upon the receipt by him of properly authenticated vouchers. * * * To the secretary of the State board of health, \$1,700. * * * For the State board of health, \$17,000.

Medicines—Distribution of Samples of. (Chap. 938, Act Apr. 29, 1913.)

SECTION 1. No person shall, by himself or his servant or agent, sell, distribute, or give away in any street or highway, or from house to house, any bottle, box, envelope, or package containing any liquid medicine or any pills, powder, tablets, or other article which contains any drug or poison: *Provided, however,* That the provisions of this act shall not apply to any person acting as a member, officer, or agent of any pharmaceutical house in the distribution of samples of its products to physicians.

SEC. 2. Any person, whether acting for himself or another, or as member, officer, or agent of any partnership or corporation, who shall violate any of the provisions of this act shall be fined not more than \$50, or imprisoned not more than one year, or both.

SEC. 3. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

SOUTH CAROLINA.

Communicable Diseases—List of Diseases Made Notifiable. (Reg. Bd. of H., July 18, 1913.)

The following diseases were made reportable in South Carolina :

Actinomycosis.	Ophthalmia neonatorum (conjunctivitis of newborn infants).
Anthrax.	Paragonimiasis (endemic hemoptysis).
Cancer.	Paratyphoid fever.
Chicken-pox.	Pellagra.
Cholera, Asiatic (also cholera nostras when Asiatic cholera is present or its importation threatened).	Plague.
Continued fever lasting seven days.	Pneumonia (acute).
Dengue.	Poliomyelitis (acute infectious).
Diphtheria.	Rabies.
Dysentery :	Rocky Mountain spotted or tick fever.
(a) Amebic.	Scarlet fever.
(b) Bacillary.	Septic sore throat.
Favus.	Smallpox.
German measles.	Tetanus.
Glanders.	Trachoma.
Hookworm disease.	Trichinosis.
Leprosy.	Tuberculosis (all forms, the organ or part affected in each case to be specified).
Malaria.	Typhoid fever.
Measles.	Typhus fever.
Meningitis :	Whooping cough.
(a) Epidemic cerebrospinal.	Yellow fever.
(b) Tuberculous.	
Mumps.	

Foodstuffs—Protection. (Reg. Bd. of H., Dec. 16, 1913.)

15. All dealers in foodstuffs, such as milk, meat, fish, vegetables (of whatever kind and variety, whether to be eaten raw or cooked), fruits, candies, cakes, confections, etc., shall not expose or exhibit the same on any sidewalk or alley in the State of South Carolina; but all such food intended for human consumption and offered for sale shall at all times be kept free from contamination by dust, dirt, flies, insects, cats, dogs, or other domestic animals.

Milk and Milk Products—Production, Care, and Sale. (Reg. Bd. of H., Dec. 16, 1913.)

Any person owning or managing a dairy or dairy farm, the products of which are sold, shall conform to each and every rule herein set forth for maintaining and handling all such products in a cleanly and sanitary condition.

Cows.—Cows shall be in a healthy condition, and should be tested for tuberculosis once a year, and those reacting or showing evidence of tuberculosis shall be removed.

Cows shall be kept in a cleanly condition, curried and brushed daily. Bedding shall be fresh, and the temperature of the stable kept comfortable.

Location of stable.—Stable shall be located on ground which is well drained and free from any contaminating surroundings.

Construction.—Stables shall have water-tight floors and gutters for proper drainage; walls and ceilings to be tight and smooth. A proper stall for feeding shall be provided.

Light.—Provision shall be made for 4 square feet of glass light for each cow, and free from any contaminating surroundings.

Ventilation.—An automatic ventilating system should be installed if practicable.

Cubic feet of space per cow.—There shall be provided not less than 500 cubic feet of space per cow.

Barn roof.—A cover to the barn shall be provided, so as to protect cows from rain and sunshine, and if the roof is a slanting one, the lowest place shall be not less than 8 feet above the ground.

Cleanliness of stables.—Stables shall be kept clean at all times. The floors, walls, ceilings, and ledges to be kept free from dust or dirt. Mangers, partitions, and windows shall also be kept clean.

Storage of food.—If any foodstuffs are stored in the loft, the floor of such loft shall be absolutely tight, so that no particles of foodstuffs may come through. No storage of foodstuffs above the stalls shall be permitted unless the floor be tight and dust proof.

Removal and care of manure.—The barnyard shall at all times be kept clean and well drained; manure or other refuse shall be removed twice a day to a distance of at least 150 feet from the barn or stables and stored into a fly and wind proof receptacle.

Milk room—Construction.—The milk room shall be provided with doors and windows securely screened against flies; tight walls and floors, kept constantly clean; the walls and floor to be of such construction as to allow easy and thorough cleansing, and all walls and ceilings shall have ample light and ventilation.

Location of milk room.—The milk room shall be free from contaminating surroundings, and shall be removed from all barns at least 150 feet.

No portion of the building shall be used for stabling any other animal, fowls, or for sleeping purposes, nor shall any cows used for dairy purposes be stabled in any portion of the building.

No water-closet, privy, or cesspool, urinal, or other source of contamination shall be erected, kept, or permitted within 150 feet of the room or portion of the building where cows are stabled, or in which milk or other dairy product is stored, mixed, or altered.

Utensils and milking.—Water for cleaning all milk utensils shall be clean, convenient, and abundant. A small-topped milking pail is recommended. Facilities for hot water and steam shall be in the milk house and not in the kitchen.

Every care shall be taken to maintain absolute cleanliness of milking utensils, which should be thoroughly washed and sterilized in live steam before being placed in use for the reception of milk.

Personal cleanliness of employees shall at all times be maintained, who shall, before milking, wash their hands, clean their finger nails, and milk with dry hands.

The udders of cows shall be washed and dried immediately before milking.

Handling the milk.—All milk removed shall be handled by attendants having clean hands and whose outer garments are of clean, washable material. Milk

shall be removed immediately from the stable and cooled immediately after milking the cow.

No person suffering from a communicable disease, or residing in a house where such disease is under treatment, and subject to quarantine, isolation, or observation, shall in any way handle, furnish, or sell milk or its products unless especially authorized by the local health officer.

No person shall sell or offer for sale any milk or dairy product from cows which have not been tested for tuberculosis and found to be free of the disease, nor from any cow known or suspected to be suffering from any local or general disease which is liable to render the milk from said cow unwholesome, nor milk watered, or adulterated milk, or milk known as swill milk, or milk from cows that are fed on swill, garbage, or other like substance, nor any butter or cheese made from any such milk.

Slaughterhouses and Meat Markets—Sanitary Regulation. (Reg. Bd. of H., Dec. 16, 1913.)

1. No person or persons shall build or use any slaughterhouses within the limits of any town or city in the State without the consent of the local health officer; and the keeping and slaughtering of all cattle or other animals, and the preparation and keeping of all meat, fish, birds, or other animal food shall be in the manner best adapted to secure and continue their wholesomeness as food.

2. Every butcher or other person leasing or occupying any place, room, or other building wherein any cattle, sheep, or swine have been or are killed or dressed, and every person being owner, lessee, or occupant of any room or stable wherein animals are kept, or of any market, public or private, shall cause such place, room, building, stable, or market, and their yards and appurtenances, to be thoroughly cleaned and purified, and all offal, blood, fat, garbage, refuse, and unwholesome or offensive matter to be removed therefrom at least once each 24 hours after the use thereof for any purpose herein referred to. All woodwork, save floors and counters, in any building, place, or premises above mentioned shall at all times be kept thoroughly painted or whitewashed, and the floors of such building, place, or premises shall be so constructed as to prevent blood or foul liquids or washings contaminating the soil by seepage, leakage, or by any other means.

3. All slaughterhouses and markets shall be supplied by a pure and wholesome water supply.

4. No person shall urinate, defecate, or commit any nuisance whatsoever in the slaughtering pens of any abattoir or slaughterhouse, or within 125 feet thereof.

5. Markets shall be well ventilated.

6. The use of sawdust, sand, or other absorbent material on the floors of markets is prohibited.

7. Each day the stalls and stands of markets shall be washed and cleaned so as to keep them in the highest state of cleanliness.

8. In every meat market each room wherein meat is handled or stored shall be completely screened at doors, windows, and other openings with wire gauze, 18-mesh per inch in either direction, and such gauze shall at all times be kept in perfect repair. No meat offered for sale shall be exposed on the street or sidewalk.

9. The floor of every meat market shall be scrubbed once daily with water and concentrated lye, or other cleansing agent, and shall be kept clean at all times.

10. All meat that is or becomes tainted, or attacked by putrefactive bacteria, shall be removed from the premises at once or destroyed, and shall not be stored in any ice chest or refrigerator.

11. Chopping blocks shall be scraped daily, and counters must be thoroughly scoured; all knives, saws, and other implements must be scalded and washed thoroughly daily, and maintained at all times in a cleanly condition.

* * * * *

14. No dogs, cats, or other animals shall be allowed in a market or slaughter-house.

Barber Shops—Sanitary Regulation of. (Reg. Bd. of H., Dec. 16, 1913.)

1. No owner or manager of a barber shop shall knowingly permit any person suffering from a communicable disease, or from a venereal disease in a communicable stage, to act as a barber in said shop.

2. No person who, to his own knowledge, is suffering from a communicable disease, or from a venereal disease in a communicable stage which might be conveyed to another person by contact, shall act as a barber.

3. All barber shops, together with all furniture, shall be kept in a clean and sanitary condition.

(a) Mugs, shaving brushes, razors, scissors, clipping machines, pincers, needles, and other steel instruments shall be cleaned and sterilized either by steam, boiling water, or in alcohol of at least 60 per cent strength after each separate use.

(b) Combs and brushes shall be thoroughly sterilized after each separate use.

(c) A separate clean towel shall be used for each person.

(d) Alum or other material used to stop the flow of blood shall be applied only on a towel or other clean cloth.

(e) The use of powder puffs and sponges is prohibited.

(f) Every barber shop shall be kept well ventilated and provided with hot and cold water.

(g) Head rests of chairs shall be covered with a towel that has been washed since having been used before, or by clean new paper.

(h) Every barber shall cleanse his hands immediately and thoroughly before serving each customer.

(i) No person shall use a barber shop as a dormitory, nor shall any part of the shop be so used.

(j) No barber shall undertake to treat any disease of the skin or any lesions of the skin whatsoever, such as pimples, boils, warts, moles, and the like.

Garbage and Refuse—Organic Waste—Care and Disposal. (Reg. Bd. of H., Dec. 16, 1913.)

13. No house refuse, offal, garbage, dead animals, decaying vegetable matter, or organic waste of any kind shall be thrown upon any street, road, or public place; and no such refuse, putrescible or decaying animal or vegetable matter shall be kept in house, cellar, or adjoining outhouses or premises for more than 48 hours in any incorporated or unincorporated city, town, village, or built-up community. All receptacles for such garbage, etc., shall be so constructed as to be of sufficient dimensions for the reception of all garbage, and shall be water-tight, made of tight-matched lumber or galvanized iron, and shall stand at least 9 inches from the ground, and be provided with a suitable cover, which

must be kept properly adjusted to same, so as to protect the contents from flies, insects, rats, and animals, or vermin. All garbage or refuse containers shall have their contents emptied at least once every 48 hours.

Lavatories—Required where Foodstuffs are Prepared or Persons Employed.
(Reg. Bd. of H., Dec. 16, 1913.)

12. No manufactory, bakery, butcher shop, slaughterhouse, or any other place where human food or drinks are prepared for use, and all stores, shops, public or office buildings, offices, and other places where people are employed, or places catering to the public, shall operate unless there be provided for the use of any and all persons operating, patronizing, or employed therein a wash sink or lavatory, which shall be provided with or in connection to the urinals and water-closets, with an abundance of towels, water, and soap, and shall at all times be open and free to the use of persons operating in, patronizing, or employed in such places.

SOUTH DAKOTA.

State Board of Health—Organization, Powers, and Duties—Registration of Physicians. (Chap. 109, Act Mar. 3, 1913.)

SECTION 1. There is hereby created a board of public health and medical examiners, the members of which are to be appointed by the governor, all of whom shall be resident physicians of the State, in good standing, and shall have resided and practiced within this State not less than five years preceding their appointment. The school known as the regular homeopathic shall at all times be represented upon such board.

SEC. 2. Immediately after the taking effect of this act the governor shall appoint five skilled and capable physicians who shall constitute said board, two of whom shall be appointed for the period ending July 1, 1914, and three for the period ending July 1, 1915, and thereafter in each year, on or about the first day of July, the governor shall appoint members of said board to succeed the members whose terms of office then expire, and such appointment shall in each instance be for a period of two years.

SEC. 3. The governor shall in his commission of appointment designate which member of said board shall be superintendent thereof. At the first meeting after their appointment the members thereof shall organize said board by electing a president and vice president. The superintendent of said board shall be ex officio secretary.

SEC. 4. The said board shall hold quarterly meetings in each year, two of which shall be at the State capital, and other meetings at such times and places as the superintendent of said board shall designate, and shall have power as follows:

(1) To exercise general supervision over all health officers and boards, take cognizance of the interest of health and life among the people, investigate sanitary conditions, learn the cause and source of disease and epidemics, observe the effect upon human health of localities and employments, and gather and diffuse proper information upon all subjects to which its duties relate; to gather, collate, and publish medical and vital statistics of general value, and advise all State officials and boards in hygiene and medical matters, especially those involved in the proper location, construction, sewerage, and administration of prisons, hospitals, asylums, and other public institutions.

(2) To adopt, alter, and enforce reasonable regulations of permanent application throughout the whole or any portion of the State, or for specified periods in parts thereof, for the preservation of the public health. Upon the approval of the attorney general, and the due publication thereof, such regulations shall have the force of law, except in so far as they may conflict with a statute or with the charter or ordinances of a city of the first class upon the same subject, and in and by the same the board may control, by requiring the taking out of licenses and permits, or by other appropriate means, any of the following matters:

(a) The manufacture into articles of commerce, other than food, of diseased, tainted, or decayed animal or vegetable matter.

(b) The business of scavenging and the disposal of sewage.

(c) The location of mortuaries and cemeteries and the removal and burial of the dead.

(d) The management of lying-in houses and boarding places for infants and the treatment of infants therein.

(e) The pollution of streams and other waters and the distribution of water by private persons for drinking or domestic use.

(f) The construction and equipment, in respect to sanitary conditions, of schools, hospitals, almshouses, prisons, and other public institutions.

(g) The treatment in hospitals and elsewhere of persons suffering from communicable diseases, the disinfection and quarantine of persons and places in case of such disease, and the reporting of sickness and deaths therefrom.

(h) The accumulation of filthy and unwholesome matter to the injury of the public health, and the removal thereof.

(i) To require the superintendent of vital statistics to furnish all information that he may have regarding vital statistics.

(j) The supervision of slaughterhouses.

(k) To license and regulate the practice of medicine and surgery within the State of South Dakota, and to make all rules and regulations which may be necessary or expedient to that end.

SEC. 5. Publication—Penalties.—Three weeks' published notice of such regulations, if of general application throughout the State, shall be given at the seat of government; if of local application only, as near such locality as practicable; which publication shall be made in an official newspaper of the county where such publication is made. Special rules applicable to particular cases shall be sufficiently noticed when posted. Every person violating any such regulation, or any lawful direction of a board of health officer, shall be guilty of a misdemeanor. Fines collected shall be paid into the State treasury, and credited to the perpetual school fund.

SEC. 6. Interstate carriers.—Wherever necessary the board may establish and enforce a system of quarantine against the introduction into the State of any plague or other communicable disease by common carriers doing business across its borders. Its members, officers, and agents may board any conveyance used by such carriers, to inspect the same, and if it be found infected, may detain such conveyance and isolate and quarantine any or all persons found thereon, with their luggage, until all danger of communication of disease therefrom is removed.

SEC. 7. Other remedies reserved.—Nothing herein contained shall curtail the powers of the courts to administer the usual legal and equitable remedies in case of nuisances or of improper interference with private rights.

SEC. 8. The superintendent of said board shall devote his time and attention to the performance of his duties, and shall receive an annual salary of \$2,000, payable in monthly installments, and his actual and necessary expenses. The other members of said board shall receive as their compensation the sum of \$5 per day while actually engaged in the performance of their duties, and in addition thereto 5 cents per mile for each mile actually and necessarily traveled, and their actual and necessary expenses.

SEC. 9. The accounts of the members of said board for expenses and per diem shall be audited by the superintendent thereof and paid out of the State treasury on the warrant of the auditor upon properly certified vouchers.

SEC. 10. The said board shall keep a correct record of all its proceedings, and the same shall be open for public inspection. It shall also keep a register of all applicants for a license to practice as a physician and surgeon, or either, within this State, together with the age of such applicant, the time spent in preparation in the study of medicine, the location and name of all institutions in which said study has been pursued, the location and name of all institutions granting to applicant any degrees or certificates of lectures in medicine or surgery, and such record shall show whether said applicant was rejected or licensed under this act, and said record or a certified copy of the entry thereof shall be prima facie evidence of all matters therein stated.

SEC. 11. Any person desiring to engage in the practice of medicine or surgery or obstetrics in any of their branches in this State shall make application to said board for a license to practice medicine, surgery, or obstetrics in the State of South Dakota. Such license shall be granted to such applicants who shall give satisfactory proof of

being at least 21 years of age, of good moral character, on compliance with the following conditions: The applicants shall pass an examination upon the following subjects: Anatomy, physiology, chemistry, pathology, therapeutics, practice of medicine, surgery, obstetrics, gynecology, disease of the eye and ear, nose and throat, bacteriology, medical jurisprudence, and such other branches as the board may deem advisable; and in addition thereto shall present evidence of having attended four full courses of lectures of at least 26 weeks each in a legally organized and reputable medical college recognized by said board of public health and medical examiners, no two courses being in the same year, and of having received a diploma from a legally organized and reputable medical college which shall be in good standing, to be determined by the board, and said diploma must be submitted to the board for inspection and verification: *Provided*, That the four courses of lectures of six months each shall not apply to applicants graduating prior to 1898.

SEC. 12. The examination required by the preceding section shall be conducted as follows:

(1) The applicant before taking the examination shall pay to the superintendent of the board an examination fee of \$20.

(2) The examination shall be in writing, or oral, or both, as the board may determine.

(3) The questions on all subjects, except therapeutics and practice of medicine, shall be such as are answered alike by all schools of medicine. And no license shall be refused any applicant because of his adherence to any particular school of medicine. Each applicant shall be required to attain an average percentage of at least 75 per cent of correct answers. Any applicant failing on such examination shall be eligible to second examination at any regular meeting of the board or such times as the board may designate without the payment of an additional fee.

SEC. 13. To each applicant successfully passing said examination and fulfilling all other requirements of this act, the said board shall grant a license to practice medicine and surgery and obstetrics in all branches in the State of South Dakota. Such license shall be granted only by the consent of a majority of said board. All examination papers and questions submitted on examination shall be kept for reference and inspection for a period of not less than three years.

SEC. 14. The said board may, in its discretion, accept a license upon the payment of the license fee and without examination, any license which shall have been issued to the applicant by the examining board of the District of Columbia, or any State or Territory of the United States, if the legal requirements of such examining board at the time of issuing such license or certificate shall be in no degree or particular less than those of the State of South Dakota at the time when such license is presented for registration: *Provided*, That the provisions of this section shall apply to such certificates or licenses issued by examining boards as accept and register licenses or certificates issued by the board of public health and medical examiners of this State. Each applicant upon making application under the provisions of this act shall pay to the superintendent of said board a license fee of \$20.

SEC. 15. The board shall have the power and authority to refuse to grant a license under this act for unprofessional, immoral, or dishonorable conduct on the part of the applicant.

SEC. 16. The said board shall have the power and authority to revoke the license of any physician or surgeon heretofore or hereafter granted upon complaint made under oath by a reputable person if it shall satisfactorily appear to the board that such physician or surgeon has been guilty of unprofessional, immoral, or dishonorable conduct or has been convicted of a felony, or if such physician or surgeon publicly professes or claims to cure or treat disease, injury, or deformity in such a manner as to deceive the public, or shall be grossly incompetent: *Provided, however*, That no license shall be revoked except after a hearing before the board upon notice of not less than 10 days, with a copy of the complaint having been duly served upon the adverse party, and then only upon due proof of the facts alleged in the complaint.

SEC. 17. The words, "unprofessional or dishonorable conduct," as used in this act, shall be construed to include—

First. Producing or aiding or abetting a criminal abortion.

Second. The employing of what is known as cappers or steerers.

Third. The obtaining of any fee on the assurance that a manifestly incurable disease can be permanently cured.

Fourth. Willfully betraying a professional secret.

Fifth. All advertising of medical business in which untruthful or improbable statements are made or which are calculated to mislead or deceive the public.

Sixth. All advertising of any medicine, or any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed.

Seventh. Conviction of any offense involving moral turpitude.

Eighth. Habitual intemperance.

SEC. 18. Any person receiving a license to practice as hereby provided shall record the same in the office of the register of deeds of the county where he resides and is engaged in practice, and the said register of deeds shall, on or before the 1st day of January and July in each year, furnish to the superintendent of said board a list of all licenses recorded. All moneys received by said board shall be paid into the State treasury and shall be credited to the general fund of the State, and a receipt in duplicate be filed with the superintendent of said board in the office of the State auditor.

SEC. 19. *Itinerant physicians must procure itinerant licenses.*—Any physician practicing medicine, surgery, or obstetrics or professing or attempting to treat, cure, or heal diseases, ailments, or injuries by any medicine, appliance, or method who goes from place to place, or from house to house, or by circulars, letters, or advertisements solicits persons to accept treatment from himself or others, at places other than his office at the place of his permanent residence, is hereby declared to be an itinerant physician, and shall, in addition to the ordinary physician's license as in this act provided, procure an itinerant's license from the State board of public health and medical examiners, for which he shall pay the superintendent of the board the sum of \$1,000 per annum; upon the payment of said sum of \$1,000 the board shall issue to the applicant therefor a license to practice within the State as an itinerant physician for one year from the date thereof.

SEC. 20. *Penalty for practicing without a license.*—Any person practicing medicine, surgery, or obstetrics in any of their branches as an itinerant physician as in section 19 hereof defined, without having procured such itinerant license, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$500 nor more than \$800 or imprisonment in the county jail not less than 30 nor more than 90 days, or by both such fine and imprisonment.

SEC. 21. *Unlawful to use title and prescribe, when.*—When a person shall append or prefix the letters "M. B." or "M. D.," or the title of "Dr." or "doctor," or "specialist," or any other sign or appellation in a medical sense, to his or her name, or shall profess publicly to be a physician or surgeon, or who shall recommend, prescribe, or direct for the use of any person any drug, medicine, apparatus, or other agency for the cure, relief, or palliation of any ailment or disease of the mind or body, or for the cure or relief of any wound, fracture, or bodily injury or deformity, after having received or with the intent of receiving therefor, either directly or indirectly, any bonus, gift, or compensation, shall be regarded as practicing within the meaning of this act.

SEC. 22. The provisions of sections 11, 12, 13, 14, 15, 16, 17, 18, 21, and 25 of this act shall not apply to commissioned surgeons of United States Army, Navy, or Marine Hospital Service in the actual performance of their duties, nor to regularly licensed physicians or surgeons from outside this State in actual consultation with physicians of this State, nor to dentists or osteopaths in the legitimate practice of their profession, nor to Christian scientists as such, who do not practice medicine, surgery, or obstet-

rics by the use of any material remedies or agencies, nor to resident physicians and surgeons of this State regularly licensed and practicing in this State at the time of the taking effect of this act.

SEC. 23. Any person now practicing or who shall practice medicine, surgery, obstetrics, or any of the branches thereof, in the State of South Dakota, without having obtained a license as provided herein, and caused the same to be recorded as herein required, or any person who shall submit to the board of medical examiners any false, forged, or fraudulent diploma, or one of which he is not the lawful owner, or any false or forged affidavit of identification, for the purpose of obtaining from said board the license required by this act, or who shall file or attempt to file with the register of deeds of any county in this State any such license belonging to another, representing the same to be his own, or any such license issued to another having the names of the person to whom it was granted or issued erased therefrom and his own name, or the name of another, inserted in its place, or who shall falsely personate any one to whom such license has been granted, shall be deemed guilty of misdemeanor and upon conviction thereof shall be punished as follows: For the first offense, by a fine of not less than \$50 nor more than \$100, or by imprisonment in the county jail not to exceed 30 days, or both such fine and imprisonment. For the second offense, by a fine of \$300 and imprisonment in the county jail for 90 days. For the third and each subsequent offense, by a fine of \$500 and imprisonment in the county jail for 90 days: *Provided*, That the penalties set forth in this section shall not apply to the provisions nor modify the penalties set forth in sections 19 and 20 of this act.

SEC. 24. It shall be the duty of the state's attorney to prosecute any and all violations of this act committed in his county.

SEC. 25. Any person feeling aggrieved by any action of said board shall have the right to appeal to the circuit court of the county in which the person appealing resides. Said appeal shall be taken by serving upon the superintendent of said board a notice of appeal, stating the action of the board from which the appeal is taken, and, if an order, stating such order or so much and such part thereof from which the appeal is taken, and by filing with said superintendent a bond in the sum of \$500 conditioned for the payment of all costs of said appeal and all damages sustained by any person because of his failure to comply with the terms of said order if upon such appeal the same shall be held to be legal and valid. Upon the filing and approval of said bond the order appealed from shall be stayed pending the final determination of the controversy. Immediately upon the perfecting of said appeal it shall be the duty of the superintendent of said board to transmit to the clerk of the circuit court of said county the said notice of appeal and bond and a certified copy of all proceedings of said board in relation to the matter from which the appeal is taken, and said cause shall thereupon stand for trial at the first regular term of court in said county thereafter.

SEC. 26. The said board shall make to the governor a biennial report showing all of its proceedings and shall contain such recommendations as it shall deem expedient.

SEC. 27. Nothing in this act shall be so construed as to interfere with the powers and duties of the food and drug commissioner.

SEC. 28. Sections 238 and 245 [sic], both inclusive, of article 6 of chapter 4 of the Revised Political Code of 1903, and chapter 176 of the Session Laws of 1903, and chapter 136 of the Session Laws of 1905, and chapter 191 of the Session Laws of 1909, and all acts and parts of acts in conflict with the provisions of this act, are hereby repealed.

County Boards of Health—Powers and Duties—Health Officers. (Chap. 110, Act Mar. 3, 1913.)

SECTION 1. That sections 250, 251, 252, and 253 of the Political Code is [sic] hereby amended to read as follows:

SEC. 250. The several county boards of health shall have power within their respective counties, subject to the supervisory control of the State board of health, and the superintendent of the State board of health to—

1. Enforce any and all needful rules and regulations made by the State board of health for the prevention and cure, and to prevent the spread of any contagious or infectious disease among persons or domestic animals.
2. Establish quarantine and isolate any person affected with contagious or infectious disease.
3. Isolate, kill, or remove any animal affected with contagious or infectious disease.
4. Remove or cause to be removed any dead, decaying, or putrid body, or any decayed, putrid, or other substance that may endanger the health of persons or domestic animals.
5. Condemn and cause to be destroyed any impure or diseased article of food that may be offered for sale.

All expenses actually and necessarily paid and incurred by the county board of health in carrying out the provisions of this article shall be audited by such board and certified to the county commissioners of the county where such expenses are incurred and shall be paid the same as other county expenses.

SEC. 251. The superintendent of the county board of health shall have charge of and superintend, subject to the approval of the board of which he is a member, and the supervisory control of the State board of health, all the matters and things in subdivisions 1, 2, 3, 4, and 5 of section 250 within his county, and in case of immediate danger to the health of persons he may act as in his judgment he may deem proper without consultation with the county board of health, for the prevention of such danger, and shall immediately report such action to the president of the county board of health, and to the superintendent of the State board of health.

SEC. 252. The president of the county board of health shall receive no other compensation than that which is provided for. He shall receive 5 cents for every mile actually and necessarily traveled in the performance of his duties as a member of said board. The superintendent of the county board of health shall receive 20 cents per mile for every mile actually and necessarily traveled by the nearest route in the performance of his duties, which mileage shall be in lieu of all compensation of traveling expenses that said superintendent shall receive, and the superintendent, or the vice president of the county board of health if he performs the duties of the superintendent, shall receive such other sums as the board of county commissioners may allow: *Provided*, That for each investigation, visit, or examination necessarily made where an infectious, contagious, or communicable disease may exist or be reasonably suspected of existing, the superintendent, or the vice president of the county board of health if he performs the duties of the superintendent, shall also receive the sum of \$5 for each investigation, visit, or examination actually and necessarily made where but one person is examined in one building and \$1 for each additional person examined. The superintendent shall also receive the sum of 50 cents for each monthly report to the superintendent of the State board of health of the health conditions of the county, and he, or the vice president if he performs the duties of the superintendent, shall further receive such other sum or sums as he may pay or become liable to pay for medicine, chemicals, drugs, or appliances in carrying out and performing the various duties imposed upon him under the provisions of this article, which, together with other expenses, shall be audited by the board of county commissioners and paid as other county expenses.

SEC. 253. All members, officers, and employees of the State and local boards of health shall have the right to enter any building, conveyance, or place where contagious, infection, filth, or other source or cause of preventable disease exists or is reasonably suspected to exist, and all county boards of health, and health officers shall make such investigation and reports, and obey such directions concerning communicable diseases, as the State board of health may require or give, and under the general supervision of the State board of health they shall cause all laws and regulations relating to public health and sanitary matters to be obeyed and enforced, and every member or

officer refusing or neglecting to perform any duty imposed upon him by or pursuant to this chapter or by any statute, ordinance, by-law or rule and regulation relating to public health and sanitary measures shall be guilty of a misdemeanor. And any person who shall violate any of the provisions of this chapter, or any of the rules and regulations made by the State board of health to carry out the provisions thereof, or who shall willfully oppose or obstruct any health officer in performing his duty shall be guilty of a misdemeanor.

State Board of Health—Appropriation. (Chap. 23, Act Mar. 8, 1913.)

* * * * *
SEC. 12. State board of health. Necessary expenses for public health and medical examiners per annum:

	1913	1914
Superintendent's salary	\$2,000	\$2,000
Stenographer	750	750
Maintenance of offices, office supplies, and equipment	500	500
Printing and publicity	500	500
Necessary standard publications	250	250
Traveling expenses of superintendent	500	500
Board proper, four members:		
Per diem, four members, 96 days per year	480	480
Mileage, four members, four trips	250	250
Expenses, members	150	150
Total	5,380	5,380

Morbidity Reports. (Reg. Bd. of H., July 25, 1913.)

Physicians to report all cases of certain infectious and contagious diseases to the health authorities.—Every physician practicing in the State of South Dakota who shall treat or examine any person suffering from, or afflicted with, actinomycosis, anthrax, bubonic plague, cerebrospinal meningitis (epidemic), (cerebrospinal fever, spotted fever), chicken pox, Asiatic cholera, diphtheria, (diphtheritic croup, membranous croup, putrid sore throat), epidemic dysentery, erysipelas, German measles, pneumonia, glanders (farcy), rabies (hydrophobia), leprosy, malarial fever, measles, puerperal fever, relapsing fever, scarlet fever (scarlatina, scarlet rash), smallpox (variola, varioloid), tetanus, trachoma, trichiniasis, tuberculosis in any form, typhoid fever, whooping cough, or yellow fever, shall forthwith make a report in writing to the superintendent of the county board of health upon blanks supplied for that purpose, in which report he shall, over his or her signature, state the name of the disease, and the name, age, sex, color, nativity, and occupation, if any, of the person suffering therefrom, together with the street and house number of the premises in which said person may be located, or otherwise sufficiently designate the same, the date of the onset of the disease, the name and occupation of the householder in whose family the disease may have occurred, the number of children in said household attending school, and the name or names of the school or schools so attended, together with such other information relating to such case as may be required by said health authorities and the State department of health.

Regulations—Definitions of Terms Used. (Reg. Bd. of H., July 25, 1913.)

The term "local health officer" as it appears in the following rules and regulations shall be so construed to mean any health officer appointed by the State board of health and medical examiners or any municipal town or township health officer otherwise appointed and whose appointment has been approved by the superintendent of the State board of health and medical examiners.

The term "State board of health" as it appears in the following rules and regulations shall be so construed to mean the State board of public health and medical examiners.

Communicable Diseases—Quarantine—Placarding—Disinfection. (Reg. Bd. of H. July 25, 1913.)

1. *The control of communicable diseases.*—The local health officer shall forbid, by notice posted upon the entrance to premises where a patient is sick with scarlet fever or diphtheria, any person except the attending physician, health officer, sanitary inspector, or in case of a death, a licensed embalmer, from going into or leaving such premises without his permission, or the carrying off or causing to be carried off any material whatever, until after the disease has abated and the premises, dwelling, and clothing have been rendered free from danger by means of such disinfection and cleansing as the State board of health may direct. A quarantine card must give the name of the disease and the regulations set forth above.

2. The other members of a household where a patient is under isolation for diphtheria or scarlet fever shall be under quarantine also, except as follows: If the patient be entirely isolated in a portion of the house used for no other purpose, and under the charge of a reliable attendant, the local health officer shall make a statement in writing to that effect and furnish copies thereof to such members of the household as may be employed at gainful occupations, other than teaching or such work as may bring them into contact with children. On receipt of such signed statement in writing, any person may pursue their ordinary vocations, provided they shall furnish a signed statement to said health officer and to their employer, declaring that they will not come in contact with the patient, the patient's room, or anything or any person which is in contact with the patient or the patient's room.

School children, teachers, or others having to do with children shall be excluded from day school, Sunday school, or any public or private gathering whatever for two weeks of observation after the last exposure to any case of scarlet fever or diphtheria within the household, except that in the case of exposure to diphtheria two consecutive negative cultures from both the nose and throat, secured at any time in accordance with regulation No. 26 after last exposure, shall free the person presenting them of all restraint. Residence in the household where diphtheria or scarlet fever exists shall constitute exposure.

A nurse or other person under quarantine with a patient ill with a communicable disease other than diphtheria, who wishes to be released before the quarantine period has expired, must be carefully examined by the health officer, and, if found to be free from the disease and not liable to develop the same, may be released from the quarantine after having had a full bath and a thorough disinfection of all the clothing worn or taken from the quarantined house.

3. No person or persons shall alter, deface, remove, destroy, or tear down any card posted by a local health officer. The occupant or persons having possession or control of a building upon which a quarantine notice has been posted shall within 24 hours after the destruction or removal of such notice by other than the local health officer, notify the local health officer of such destruction or removal.

4. Any person who is infected with smallpox, scarlet fever, or diphtheria and who is residing in a common lodging house or hotel, shall be removed therefrom under the supervision of the local health officer to a suitable hospital or place of quarantine. If an infected person can not be removed without danger to his health or for other sufficient cause, the local board of health shall make provision for the care of such individual in the house where he may be found, and may cause, if necessary, other persons in the house to be removed therefrom after having been submitted to the necessary disinfection.

5. Whenever a local health officer is informed or has reason to suspect that there is a case of smallpox, scarlet fever, diphtheria, epidemic cerebrospinal meningitis, anterior poliomyelitis, measles, typhoid fever, or tuberculosis within the territory over which he has jurisdiction, he shall immediately examine into the facts of the case and shall adopt the quarantine or employ the sanitary measures directed by the State board of health in dealing with such case or cases, and shall immediately notify the superintendent of said board of health of the appearance of such disease and the measures taken in relation thereto. A report of each case as it occurs shall be made to the aforesaid superintendent by the local health officer.

6. The local health officer shall see that the cleansing and disinfection of any house, building, car, vessel, or vehicle, or any part thereof, and of any articles therein likely to retain infection, is carried out before the same are released from quarantine.

7. When furniture, bedding, clothing, carpets, or other articles that have been exposed to infection through contact with infected persons or articles can not be disinfected, the same must be destroyed when so ordered by the local board of health.

8. No person shall let for hire, or cause or permit anyone to occupy, apartments previously occupied by a person ill with smallpox, scarlet fever, diphtheria, epidemic cerebrospinal meningitis, anterior poliomyelitis, measles, typhoid fever, or tuberculosis until such apartments have been disinfected under the supervision of the local health officer according to the instructions of the State board of health.

9. Whenever the order or direction of the local health officer requiring the disinfection of articles, premises, or apartments shall not be complied with the local health officer shall forthwith cause a placard, in word and form as follows, to be placed upon the door of the apartment or premises:

NOTICE

....., S. Dak.
..... is a communicable disease. These apartments have been occupied by a
..... patient and have become infected. They must not again be occupied until my
orders directing the renovation and disinfection of same have been complied with.

This notice must not be removed, under penalty of the law, except by an authorized official.

.....,
Local Health Officer.

Dated, 191..

10. No person engaged in handling actual food or food products for sale, no salesman or clerk in grocery or butcher shops, in candy shops or bakeries, or other places where food is sold, and no waiter, waitress, cook or other employee of a hotel, restaurant, boarding house or other place where food is served shall handle actual food or food products for sale or consumption in any manner whatever, while infected with scarlet fever, diphtheria, smallpox, chicken pox, typhoid fever or measles; and any person shall be deemed infected if residing, boarding, or lodging in a household where any one or more of the diseases exist.

No milk, butter, or other food or food products to be eaten raw shall be sold or given to any party or delivered to any creamery or butter factory, store, shop, or market from a house where a case of scarlet fever, diphtheria, smallpox, chicken pox, typhoid fever or measles exist; nor shall any member of such household handle milk or milk products for sale in any manner whatever. The sale of such food or food products is forbidden from farm premises where any of the specified diseases exist, except under the following conditions:

Complete separation of the farm work from the household concerned shall be made so that the household shall be quarantined against the rest of the farm, and no communication whatever shall continue. Those having to do with the food products shall eat, sleep, and work wholly outside the affected house and shall in no way handle anything or person whatever coming from the affected house or connected with it, nor shall those quarantined in the house handle any person or anything connected with the food or food products or those working with the food or food products in any manner whatever.

11. *Smallpox*.—The local health officer having knowledge of or having reason to suspect the existence of smallpox shall at once investigate and quarantine any building where the disease may exist.

12. The building or isolated apartments occupied by a smallpox patient shall be deemed infected and when vacated by death or removal of the patient shall, together with their contents, be thoroughly disinfected under the supervision of the local health officer.

13. Every physician shall immediately report, in writing, to the superintendent of the county board of health, the name of each smallpox patient under his care. A report must be made for each case as it appears in a family or household.

14. Every physician shall report, in writing, to the superintendent of the county board of health the death of any smallpox patient within 12 hours thereafter.

15. *Vaccination*.—Following an exposure of smallpox every individual must be vaccinated (within three days of the first exposure) or placed under the same isolated restrictions as the smallpox patients. If smallpox prevails in a community, or if the disease appears in a school, all unvaccinated teachers and pupils must be excluded from school for a period of three weeks unless vaccinated within three days of the first exposure. Failing to comply with this requirement, the school must be closed for a period of three weeks.

16. *Smallpox disinfection regulations*.—All persons having been ill with smallpox must have their clothing disinfected and take a disinfecting bath before being released from quarantine.

17. *Epidemic cerebrospinal meningitis and epidemic anterior poliomyelitis*.—Every case of epidemic cerebrospinal meningitis shall be reported to the local health officer at once. The patient shall be isolated for a period of at least two weeks from the onset of the symptoms. The discharges from the nose, throat, and mouth of the patient must be received on cloths and burned at once. After death or recovery of the patient all personal clothing and bedding, together with the contents of the room and the room itself, must be thoroughly disinfected under the supervision of the local health officer. In case of death a public funeral or reviewing of the remains of the deceased is forbidden. Every doubtful case of cerebrospinal meningitis must be classed as of epidemic type and cared for accordingly until proven otherwise.

18. Every case of epidemic anterior poliomyelitis shall be reported to the local health officer at once. The patient shall be isolated for a period of two weeks from the onset of the symptoms. All other children, teachers, or others having to do with children residing in the affected household shall be kept under observation for a period of three weeks from the date of the last exposure within the household. They shall not attend during the period day school, Sunday school, or any public or private gathering whatever. Residence, boarding, or lodging in a household during isolation therein of a patient suffering from anterior poliomyelitis shall constitute exposure. The discharges from the nose, throat, and mouth of the patient must be received on cloths and burned at once. After death or termination of isolation all personal clothing and bedding of the patient, together with the contents of the room and the room itself, must be thoroughly disinfected under the supervision of the local health officer. In case of death a public funeral or reviewing of the remains of the deceased is forbidden. Every doubtful case of anterior poliomyelitis shall be classed as of epidemic type and cared for accordingly until proved otherwise.

19. *Scarlet fever, scarlatina, scarlet rash*.—The local health officer having knowledge of or having reason to suspect the existence of scarlet fever shall investigate, if necessary, and shall at once place under quarantine all persons afflicted with scarlet fever and those having the care of and coming in contact with such patients, except the attending physician, health officer, sanitary inspector, or in case of death a licensed embalmer.

The quarantine period for scarlet fever shall never be less than three weeks and may be longer. Quarantine must not be released until the health officer has satisfied himself

that desquamation (or peeling) is completed and that the condition of the nose and throat is normal. But the patients shall not attend day school, Sunday school, or any public or private gathering whatever until a second examination by the health officer or medical school inspector, made not less than one week after release from quarantine, shall demonstrate a continuance of the normal condition of the nose and throat and the absence of desquamation. In case ear discharges exist the patient shall report weekly for examination by the health officer or medical school inspector and shall carry out such precautions to prevent the spread of infection therefrom as he shall prescribe. The quarantine must not be raised until three weeks or more, as the case may be, after the appearance of the last case in such family or household.

20. The apartments occupied by a scarlet fever patient shall be deemed infected, and when vacated by death or removal of the patient shall, together with their contents, be thoroughly disinfected under the supervision of the local health officer. All persons having occupied such apartments during the quarantine period must have their clothing disinfected and take a disinfecting bath before being released from quarantine. All disinfection prescribed in this regulation shall be a part of the control of the disease.

21. No milk, butter or other dairy products shall be sold or given to any party, or delivered at any creamery or butter factory, from a house quarantined because of the presence of scarlet fever therein.

22. Every physician shall immediately report to the local health officer, in writing, the name of every patient under his care, having scarlet fever, the state of his or her disease, and his or her place of dwelling. A report must be made for each case as it occurs in a family or household.

23. Every physician shall report in writing to the local health officer the death of any scarlet fever patient under his care, within 12 hours thereafter.

24. The local health officer must immediately report to the superintendent of the State board of health all cases of scarlet fever occurring within his jurisdiction.

25. *Diphtheria*.—The local health officer having knowledge of or having reason to suspect the existence of diphtheria shall, personally or through the attending physician, immediately secure a culture from the nose and throat of the suspected individual and submit the same to the State health laboratory for examination. A suspicious case must be quarantined as diphtheria until the diagnosis is confirmed or denied by the laboratory findings. Any doubtful clinical case of diphtheria must be quarantined even with negative findings from the first laboratory examination. Cultures may be submitted to municipal or private laboratories if the same have the indorsement of the State board of health.

26. The quarantine of diphtheria in cities and villages and for country districts within 2 miles of a city or village shall be continued until negative report has been made from the laboratory of the State of South Dakota or a laboratory approved by the State board of health on cultures taken by a physician or representative of the county or city health department from nose and throat of the person quarantined, followed by a negative report on cultures from nose and throat not less than 24 hours thereafter, so as to constitute two successive negative reports on cultures from both nose and throat: *Provided*, That the quarantine in no instance be continued for a period longer than six weeks from the time of the disappearance of all clinical symptoms of the disease.

27. A school-teacher or pupil released from quarantine without two successive negative reports from a laboratory approved by the State board of health must not attend any public, private, parochial, church, or Sunday school, or any other public gathering, until two successive negative reports have been made.

28. In country districts more than 2 miles distant from a city or village the quarantine for diphtheria shall extend over the time of the illness and a period covering three weeks after all clinical symptoms of the disease have disappeared unless those in quarantine elect to use the culture method of quarantine described for cities and villages, paying physician for taking of cultures.

29. Teachers and children in country districts must be excluded from school until two successive negative reports have been made upon cultures taken after the end of the time-quarantine period. Such patients in country districts may be taken at the end of the time-quarantine period to a physician in order that cultures may be secured and submitted to the State health laboratory for examination.

30. A nurse or other person who has been under quarantine with a diphtheria case and who wishes to be released before the quarantine period has expired must be separated from the patient and have cultures taken from both nose and throat for examination in a laboratory approved by the State board of health. When such cultures are reported as negative the person from whom they are taken may be released from quarantine after having had a full bath and a thorough disinfection of all clothing to be worn or taken from the quarantined house.

31. The quarantine of diphtheria in public institutions where the population is resident shall be governed entirely by the laboratory examinations. Immediately after the appearance of diphtheria in an institution the local health officer or officers in cities of the first class shall notify the superintendent of the State board of health, who shall supply facilities for taking cultures, if necessary, from all residents of the institution. All individuals, whether sick or well, who are found in the institution harboring diphtheria bacilli shall be quarantined until a negative report is made from nose and throat cultures. They shall then be properly cleansed and disinfected and placed in other detention quarters until two later and successive negative reports on double examination of nose and throat are made, whereupon they may be released after proper disinfection.

32. After the laboratory diagnosis of diphtheria has been made the health officer in cities and villages, and for country districts within 2 miles of a city or village, shall forward specimens from both nose and throat of a patient, at least one every week, after the clinical symptoms have subsided, until two negative reports have been made as prescribed in regulation 26.

33. The apartments occupied by a diphtheria patient shall be deemed infected, and when vacated by death or removal of the patient they shall, together with their contents, be thoroughly disinfected under the supervision of the local health officer. All persons having occupied such apartments during the quarantine period must have their clothing disinfected and take a disinfecting bath before being released from quarantine. All disinfection prescribed in this regulation shall be a part of the control of the disease.

34. No milk, butter, or other dairy products shall be sold or given to any party, or delivered at any creamery or butter factory, from a house quarantined because of the presence of diphtheria therein.

35. Each physician shall immediately report in writing to the local health officer the name of every patient under his care having diphtheria, the state of his or her disease, and his or her place of dwelling. A report must be made for each case as it occurs in a family or household.

36. Every physician shall immediately report to the local health officer the death of any diphtheria patient under his care, within 12 hours.

37. The local health officer must immediately report to the superintendent of the State board of health all cases of diphtheria occurring within his jurisdiction.

38. *Membranous croup*.—So-called membranous croup shall be classed, quarantined, and cared for as diphtheria.

39. *Measles*.—The attending physician shall immediately report in writing to the superintendent of the county board of health the existence of any cases of measles that he may have under his care, the state of his or her condition, and his or her place of dwelling, and he shall also, at once, securely fasten in a conspicuous place upon the front of the dwelling in which said measles exist a placard displaying the name measles and stating that children in the house will not be permitted to leave the premises.

The placard must be kept on the house until at least 10 days after the appearance of the disease in the last case in such family or household.

Disinfection after measles is not necessary.

40. *Human tuberculosis*.—Every physician engaged in the practice of medicine in the State of South Dakota shall submit to the superintendent of the State board of health the full name, specific residence, and hygienic data on blanks furnished by said board for that purpose, of every person under his treatment for tuberculosis, within one week after the application of such patient for treatment.

Physicians in cities and villages where they are required by ordinance or sanitary regulation to report their tuberculosis cases to the local board of health will not be required to report such cases direct to the State board of health, provided the local health officer makes returns of all such cases reported to him to the State board of health at least once a month.

41. The superintendent of the State board of health shall keep a careful and accurate record of all cases of tuberculosis reported to him. The same shall not be for publication, but may be used by said board in the discharge of its duties.

42. Immediately after being notified of any case of tuberculosis the superintendent of the State board of health or the local health officer shall send to the attending physician the printed matter published by the State board of health relative to the control of tuberculosis. Such physician shall thereupon deliver the same to those in charge of the patient.

43. No person afflicted with tuberculosis shall dispose of the sputum or other infectious bodily excretion or secretion as to cause offense or danger to any person or persons. No person in an infectious stage of pulmonary tuberculosis shall handle in any capacity actual food or food products for sale, including milk, butter, or other dairy products, nor act as salesman or clerk, handling food or food products in milk, cream, or dairy-product shops, grocery or butcher shops, candy or bakers' shops, or other places where food is sold; nor shall any such person act as waiter, waitress, cook, or other employee engaged in handling food of any hotel, restaurant, boarding house, or other place where food is served.

44. Any health officer receiving a complaint to the effect that the foregoing rule is being violated shall investigate the same, and if it appears that the violation complained of is such as to cause offense or danger to any person occupying the same room, apartment, house, or part of house he shall serve notice upon the person so complained of, reciting the alleged cause of offense or danger, and requiring him or her to dispose of the sputum or other infectious bodily secretion or excretion in such a manner as to remove all reasonable cause of offense or danger.

45. The apartments of any tuberculosis patient shall be deemed infected, and when vacated by death or removal of the patient shall, together with its contents, be thoroughly disinfected under the supervision of the local health officer. All disinfection prescribed in this rule shall be a part of the control of the disease.

46. It shall be the duty of any person having knowledge of the facts to notify the local health officer within 24 hours after the death or removal of any person with tuberculosis from any apartments.

47. *Typhoid fever*.—Every physician engaged in the practice of medicine in the State of South Dakota shall submit to the superintendent of the State board of health the full name, specific residence and hygienic data, of every person under his treatment for typhoid fever, or suspected typhoid fever, within one week after the application of such patient for treatment.

Physicians in cities and villages where they are required by ordinance or sanitary regulation to report typhoid fever to the local board of health will not be required to report such cases direct to the State board of health provided the local health officer makes returns of all cases reported to him to the State board of health at least once a month.

48. The superintendent of the State board of health shall keep a careful and accurate record of all cases of typhoid fever reported to him. The same shall not be used for publication, but may be used by said board in the discharge of its duties.

49. Immediately after being notified of any case of typhoid fever, the superintendent of the State board of health, or the local health officer, shall send to the address of the attending physician the printed matter published by the State board of health relative to the control of typhoid fever. Such physician shall thereupon deliver the same to those in charge of the patient.

50. No person affected with typhoid fever or in charge of a typhoid-fever patient shall so dispose of the excreta or other infectious bodily secretion or excretion as to cause offense or danger to any person or persons.

51. Any health officer receiving a complaint that the foregoing rule is being violated shall investigate the same and if it appears that the violation complained of is such as to cause offense or danger to any person he shall serve notice upon the offending person, reciting the alleged cause of offense or danger, and requiring that the bodily secretions or excretions complained of be disposed of in such a manner as to remove all reasonable cause of offense or danger.

52. It shall be the duty of those having charge of a typhoid-fever patient to see to it that the excreta, or other infectious bodily secretions or excretions, from such patient are properly disposed of and disinfected.

53. The apartments occupied by any typhoid-fever patient shall be deemed infected, and when vacated by death or removal of the patient shall, together with their contents, be thoroughly disinfected under the supervision of the local health officer. All disinfection prescribed in this rule shall be a part of the control of the disease.

54. It shall be the duty of any person having knowledge of the facts to notify the local health officer within 24 hours after the death or removal of such person affected with typhoid fever from any apartments.

55. Whenever typhoid fever prevails in a locality the local board of health shall immediately appoint a competent inspector, or inspectors, to patrol the city, village, or district involved. Such inspector shall report to the local board of health all water-closets, privies, vaults, and cesspools which are not fly proof, with screened doors and windows, and all vaults and cesspools which are not water-tight, dark, and fly proof. The local board of health shall thereupon enter its proper order in the premises to the end that all such water-closets and privies shall be made fly proof and all such cesspools and vaults dark, water-tight, and fly proof.

56. Any drinking water shown to be a positive or probable source of disease shall be condemned either by the local board of health or by the State board of health, and when so condemned shall not be used again as a drinking-water supply until declared safe by the condemning party.

57. *Rabies*.—When an animal suspected of having rabies has bitten a human being the fact should be immediately reported to the county health officer, who shall secure or cause to be secured such animal alive and without injury, where this can be accomplished with safety. The animal shall be confined in a safe, quiet, roomy, and comfortable place for a period of two weeks if death does not intervene. A report giving full particulars shall be sent immediately to the superintendent of the State board of health. This report shall include the name of the locality in which the biting occurred (city, village, or township); the date of biting; the name, residence, and address of the owner of the animal; the full name or names of the persons bitten, together with place of residence of each; the names, addresses, and residences of all owners of animals which have been bitten by the animal in question, together with a list and description of the animals bitten and the disposition made of same.

58. When it becomes necessary to kill such suspected animal, it must be done in such a way that no injury will be made to the brain or spinal cord. When an animal

suspected of having rabies dies from the disease or is killed, the head and several inches of the neck must be cut off and sent to the State health laboratory. It should first be wrapped in clean cloth and then carefully packed in a quantity of sawdust and ice, using such an amount of ice as will insure its reaching the laboratory in a cool condition.

59. *Erysipelas*.—Every case of erysipelas shall be isolated in a room used for no other purpose. No dressings, bed, bedding, or clothing, eating utensils, or other things used or touched by the patient shall be removed from the room until disinfected. No person except the necessary attendants shall enter the room, nor shall anyone leave the room without thorough disinfection of the clothing or person, especially the hands, etc., which may have been in contact with the patient, the patient's bed, bedding, clothing, eating utensils, or other things used or touched by the patient. Where the mucous membrane of the orifices of the patient's body are involved disinfection of all the discharges of the orifices concerned shall be made.

60. No midwife, obstetrical nurse, or other person having to do with an erysipelas case shall, during the same period, conduct confinements or attend lying-in cases, dress operative or other wounds, or care for very young children; nor shall any such person milk or handle milk or other raw food products for sale.

61. *Diseased eyes among infants*.—Whenever one or both eyes of an infant become inflamed at any time within two months after its birth it shall be the duty of any midwife, nurse, parent, or other person having charge of such infant to report the facts of such affection to the local health officer of the county in which the person having charge of such infant resides within 12 hours after ascertaining the fact.

62. Any health officer to whom may have been reported a case of eye disease in a child under 2 months of age shall forthwith visit such child and provide immediate medical treatment, unless said child is already under the treatment of a competent medical practitioner.

63. *Trachoma*.—Every physician engaged in the practice of medicine in the State of South Dakota shall submit to the superintendent of the county board of health the full name, specific residence, and hygienic data of every person under his treatment or observation for trachoma or suspected trachoma within one week after the application of such patient for treatment.

64. The superintendent of the county board of health shall forward same information to the superintendent of the State board of health in his monthly reports.

65. In such counties where schools are attended by Indian pupils the local health officer shall at least every 90 days examine said schools, and if any pupils are found to be affected with trachoma in the active stage they shall be excluded from school or close association with other individuals, unless under the constant care and strict supervision of a competent physician, as in such cases where schools are conducted by the United States Government and have a regularly appointed physician in charge.

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100. *Protection of library books*.—Library books that have been in any house occupied by a patient suffering from diphtheria, scarlet fever, smallpox, tuberculosis, or typhoid fever must be reported to the local health officer and by him to the librarian with a warning that such books may be a means of infection. Such books must not again be placed upon the shelves of the library until they have been thoroughly disinfected under the supervision of the local health officer. Unless books are of special value, they shall be destroyed by the library authorities rather than returned to the shelves for future use. Books must not be loaned to those residing in rooms or apartments occupied by patients suffering from diphtheria, scarlet fever, smallpox, tuberculosis, or typhoid fever, unless the same are destroyed after use in such rooms or apartments.

**County Boards of Health—County Health Officers—Duties of. (Reg. Bd. of H.,
July 25, 1913.)**

66. The several county health officers shall make quarterly reports to the State board of health as to the general sanitary condition of their counties, such reports bearing especially upon matters relating to communicable diseases. Especial attention must be given to the reporting of rabies and glanders.

67. The several county health officers shall keep close watch over apparent epidemic and endemic diseases existing within their jurisdictions, and if a question arises as to the proper care of such diseases, they shall notify the superintendent of the State board of health in order that an investigation may be made.

68. The several county health officers shall note the condition of slaughterhouses, rendering establishments, starch factories, and paper mills within their jurisdiction, and shall report such conditions to the superintendent of the State board of health from time to time as necessary, or upon the request of said superintendent.

69. The county board of health shall at all times bring to the attention of the State board of health any conditions which they might deem in need of sanitary regulation.

70. The county health officers shall when called by the State board of health assemble to discuss general sanitary problems and to present at such conferences the special sanitary needs of their individual districts.

71. County health officers shall make such investigations and reports and obey such directions relating to sanitary problems as shall be prescribed from time to time by the State board of health.

72. Upon application of not less than five health officers, the superintendent of the State board of health shall call a special conference to discuss special or local sanitary problems, the time and place of meeting to be determined by the superintendent of the State board of health.

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County superintendents of health in their monthly reports shall furnish a full report to the superintendent of the State board of health of all services rendered pertaining to and in the discharge of their duties and for which bills are rendered to the county commissioners of their respective counties.

**Water and Ice Supplied by Common Carriers—Regulations for. (Reg. Bd. of H.,
July 25, 1913.)**

73. Water supplied by common carriers on cars, vessels, or vehicles operated in intrastate traffic for the use of passengers shall be furnished under the following conditions:

(a) Water shall be certified by the State or municipal health authority within whose jurisdiction it is obtained as incapable of conveying disease: *Provided*, That water in regard to the safety of which a reasonable doubt exists may be used if the same has been treated in such a manner as to render it incapable of conveying diseases and the fact of such treatment is certified by the aforesaid health officer.

(b) Ice used for cooling such water shall be from a source the safety of which is certified by the State or municipal health authority within whose jurisdiction it is obtained, and before the ice is placed in the water it shall first be washed with water of known safety and handled in such a manner as to prevent its becoming contaminated by the organisms of infectious or contagious diseases: *Provided*, That the foregoing shall not apply to ice which does not come in contact with the water which is to be cooled.

(c) Water containers shall be cleansed and thoroughly scalded with live steam at least once in each week that they are in operation.

74. Samples of water and artificial ice from each and every source of supply shall be subjected to bacteriological examination and chemical examination at least once

in every six months by the proper State or municipal authority within whose jurisdiction the supply is obtained, or by other person or persons competent to make such examinations and whose results will be accepted by the State or municipal health authority whose duty it is to issue certificates. Each new crop of natural ice shall be examined and certified before use.

75. The common carrier desiring a certificate of the State or municipal health authority within whose jurisdiction the water or ice is obtained should make application therefor.

76. After the necessary examinations have been made the certificates shall be issued on the form which is appended, one copy to be delivered to the common carrier, one copy to be forwarded to the Surgeon General, United States Public Health Service, Washington, D. C., and one copy to be retained as a matter of record and for future reference.

77. Whenever there is an unusual prevalence of typhoid fever, dysentery, infantile diarrhea, or other water-borne disease in a locality from which common carriers receive water and ice, an additional examination of the water and ice shall be made and a supplemental certificate made by the proper certifying authority and forwarded as above.

CERTIFICATE OF EXAMINATION OF WATER AND ICE FOR PASSENGERS IN INTRASTATE TRAFFIC.

This is to certify that the supplied at
and for the use of passengers in intrastate traffic been examined and found free from
organisms or materials liable to cause disease in man. Date of examination
Signed
Title

Address

NOTE.—Make certificate in triplicate. Deliver one copy to the common carrier, forward one copy to the Surgeon General, Public Health Service, Washington, D. C., retain one copy for reference.

State Health Laboratory—Work to be Done. (Reg. Bd. of H., July 25, 1913.)

78. The director of the State health laboratory shall make or cause to be made, without delay, all investigations, analyses, tests, etc., as shall be required by the State board of health or any of the members of the several county boards of health, or any material, of any description, that may be furnished him for the express purpose of determining all matters affecting the public health.

79. Diphtheria cultures, tubercular bacilli, Widal test for typhoid, anthrax in the human family, brains of animals, and other matters pertaining to the public health of South Dakota shall be free to the physicians of the State.

80. An ordinary fee shall be charged for the following examinations: Pathological specimens, gastric contents, pus, blood, urinalysis, suspected pathological secretions and excretions.

Maternity Hospitals—Licensing and Regulation. (Reg. Bd. of H., July 25, 1913.)

81. *Relating to the welfare of infants.*—All lying-in houses shall be licensed and the local health officer of any city, village, or township shall inspect those within his jurisdiction and satisfy himself that they are properly conducted and licensed.

82. All boarding places for infants shall be licensed and the local health officer shall inspect those within his jurisdiction and satisfy himself that they are properly conducted and licensed. The local health officer shall be entitled to a fee of \$2 for making the necessary inspection and issuing the licenses provided for under regulation above. A license shall expire on the 1st day of January after its issuance. It may be renewed after reinspection upon payment of a renewal fee. Such renewal shall hold for one year. The license and the renewal fees shall be paid by the party licensed.

83. Each health officer issuing a license as provided for above shall file a copy of the same with the superintendent of the State board of health within 10 days after its issuance. Such license shall contain the certificate of the health officer to the effect that he has personal knowledge of the applicant, and that said applicant is of good moral character. The license shall also contain a description of the premises to be occupied as a lying-in house or boarding place for infants. No license shall be issued unless the premises and furnishings are in proper sanitary condition. A license issued permitting the operation of a boarding place for infants must state that the applicant for same is competent to take care of children under 2 years of age, and must also state the number of children which may be received at any one time.

84. Physicians and midwives licensed to practice in the State of South Dakota may be licensed to receive into their premises persons to be cared for during childbirth, upon payment of license fee and renewal as provided for under regulation 82.

85. The birth of a child in a lying-in house or in the home of a physician or midwife must be reported to the health officer by the person in charge within three days, giving the date of birth, sex, and name of child, together with the names, nationality, and residences of the parents if known, and such other information as may be required in the reporting of births.

86. All parties receiving children as provided for under regulation 82 shall within three days after the reception of each child report to the licensing health officer the name and age of the child and the name and place of residence of the person placing such child in such institution.

87. The health officer issuing a license may at any time enter upon the premises licensed and inspect the same and may at any time, upon proof satisfactory to him that such premises are unfit or such person improper to continue in business, revoke the license.

88. The officers of any incorporated society for the prevention of cruelty to children may at all reasonable times enter and inspect the premises where children are received, boarded, or kept, and see that the provisions of these regulations are duly enforced.

89. The superintendent of the State board of health or other representative of said board duly delegated may at all times reasonable enter and inspect the premises where children are received, boarded, or kept, and also has the authority to inspect the children as to their physical condition.

90. No person shall offer, either by advertisement in the public press or in any other way, to dispose of the child of another as an inducement for anyone to come to their premises during confinement in childbirth or to place a child in a boarding house of the type and character described in the foregoing regulation.

91. The local health officer of any city, village, or township shall inspect all lying-in houses, boarding houses, or places where children are kept at least twice a year, or oftener upon complaint of reputable persons.

Schools—Control of Communicable Diseases. (Reg. Bd. of H., July 25, 1913.)

92. *Protecting the health of school children.*—The local board of health of every city or village shall require every teacher to report each morning to the head of the school the case of every child belonging to his or her room who shows signs of being in ill health or suffering from a communicable disease; also every child returning to school after an absence on account of illness of unknown cause. The head of the school on receiving such report shall as soon as possible thereafter notify the local health officer and refer to him all such cases for examination. Whenever in the opinion of the head of the school a child's condition requires that he or she be sent home, and whenever a child shows symptoms of smallpox, scarlet fever, diphtheria, measles, chicken pox, tuberculosis, influenza, tonsillitis, erysipelas, whooping cough, mumps, itch, ringworm,

- or trachoma, he or she shall send such suspect home immediately or as soon as a safe and proper conveyance can be found, and the local health officer shall be notified at once by the head of the school of such case.

93. In the event of any school child having smallpox or having been exposed to the disease while in attendance at school, the building where such child is in attendance shall be closed by the order of the local health officer and kept closed until the place has been thoroughly disinfected and cleansed under the supervision of said local health officer.

In the event of the board of education having passed a regulation requiring the vaccination of all school teachers and pupils, the school may be opened after the above disinfection and cleansing; otherwise the school shall be kept closed until the local board of health, with the approval of the State board of health directs otherwise.

94. No principal, superintendent, or teacher of any school, and no parent, master, or guardian of any child or minor, having the power and authority to prevent, shall permit any such child or minor having smallpox, scarlet fever, diphtheria, measles, chicken pox, tuberculosis, influenza, tonsillitis, erysipelas, whooping cough, mumps, itch, ringworm, or trachoma, or any other dangerous communicable disease, or any child residing in a house where any such disease exists or has recently existed, to attend any public, private, parochial, church, or Sunday school, until the local health officer of the city, village, or township shall have given his permission for such attendance.

95. A schoolhouse wherein a child suffering from scarlet fever has been present shall be deemed infected and shall be temporarily closed and thoroughly disinfected and cleansed under the supervision of the local health officer before the reopening of the school. Such disinfection and cleansing shall be done according to the direction of the State board of health in its circular of disinfection.

96. All schoolhouses shall be inspected from time to time by the local health officer who shall forthwith order that the place be closed and kept closed until it has been properly disinfected or cleansed, or both, as the case may require.

Common Drinking Cups and Roller Towels—Prohibited in Public Places. (Reg. Bd. of H., July 25, 1913.)

97. *Common drinking cup.*—No person, company, or corporation having charge or control of any hotel, restaurant, theater, hall, store, schoolhouse, church, stations, railroad train, steam or electric car, or other institution or conveyance frequented by the public, or which may be used for the purpose of a public assembly, or as a place of employment, may be permitted to furnish any cup, vessel, or other receptacle to be used promiscuously as a common drinking cup, or permit any cup, vessel, or other receptacle to be used by more than one person for the common, indiscriminate, or promiscuous use or purpose of drinking therefrom.

98. *Roller towel.*—The use of roller towels, or any large towel which may be used for more than one service, shall not be permitted in any hotel, schoolhouse, restaurant, boarding house, saloon, club house, public lavatory or wash room, nor in any public or private place where a number of people congregate, in the State of South Dakota; but instead the owners, proprietors, managers, or other persons in charge of such places shall provide a sufficient quantity of individual towels of any fabric approved by the State board of health, so that each person may have a clean one for his own use.

Public Buildings—Plans Must be Approved by State Board of Health. (Reg. Bd. of H., July 25, 1913.)

99. Whenever it is proposed to build any school, hospital, almshouse, prison, or other public institution, the plans and specifications for same in respect to sanitary conditions shall be submitted to and filed with the State board of health, and no such building shall be constructed until the sanitary arrangements of same have been approved by said board.

Schools—Construction of Buildings—Sanitary Regulation. (Reg. Bd. of H., July 25, 1913.)

101. *Location of buildings.*—School buildings should be placed on high ground at as great a distance as possible from low, marshy ground, and from railroads, manufacturing plants, and other sources of noise, smoke, and dust.

Light from the east is most desirable for class and study rooms; from the north for rooms for laboratory, manual training, drawing, and similar work. Light from the west holds second place only to light from the east. South light should never be used for any of the above-indicated rooms.

102. *Plans and specifications.*—All plans for buildings of four rooms or more must include plans and specifications for plumbing, heating, ventilation, and sewage disposal; and for all other buildings where such equipments are to be installed.

103. *Capacity of rooms.*—(a) No schoolroom or classroom, except when used as an assembly room, shall provide less than 18 square feet of floor space and 216 cubic feet of air space per pupil; and no ceiling of buildings hereafter to be erected shall be less than 12 feet from the floor.

(b) The floor space for rooms used for manual training or home economics shall have at least 35 square feet for each pupil.

104. *Heating and ventilating.*—(a) A system of ventilation shall be capable of furnishing not less than 30 feet of cubic air per minute for each person that the room will accommodate when the difference of the temperature between the outside air and the air in the room shall be 30° F. or more.

(b) In the gravity system of ventilation in connection with a furnace or steam plant, the flues for admitting fresh air into the room shall have horizontal area of not less than 1 square foot to every 160 square feet of floor area in the room. There shall be in a steam gravity system the equivalent of at least 50 square feet of indirect radiation for each square foot of horizontal area of fresh-air flues. An accelerating coil, the equivalent of not less than 20 square feet, shall be provided for each vent flue.

(c) The flues for a plenum fan system of ventilation shall have a horizontal area of not less than 1 square foot for every 270 square feet of floor area of the schoolroom. The ventilation of school buildings by this system shall be so regulated that the air pressure in any classroom shall be in excess of that of the outside air.

(d) Warm-air registers shall be placed about 8 feet above the floor and shall have an open area of at least 125 per cent of the cross-sectional area of the flue. Vent openings shall be placed at the floor level on the same side of the room as the warm-air flues and should have no registers.

(e) The buildings of four rooms at least, equipped with jacketed stoves or furnaces, the fresh-air intake and the chimney or vent flue shall have a cross-section area equivalent to one-fourth of 1 per cent of the area of the room, but in no case shall the intake pipe be less than 14 inches in diameter, nor the chimney or vent flue less than 16 inches by 16 inches inside measurement.

(f) Flues from hoods in chemical laboratories, from domestic science rooms, and from toilet rooms shall extend independently to the roof of the building.

(g) The direct-indirect system of ventilation shall not be used. By "direct-indirect" is meant the introduction of cold air from the outside of the building at the base of a direct radiator.

105. *Lighting.*—(a) The glass area of windows shall equal one fifth of the floor area of the schoolroom. The top of the windows shall be as near the ceiling as the mechanical construction of the building will allow.

(b) In all rooms not exceeding 25 feet in width the light shall be admitted at the left of the pupils when seated. High windows may, however, be permitted on the right side of the pupils when seated, but the sills of such windows shall be at least 7 feet from the floor.

106. *Shades*.—Translucent, instead of opaque shades shall be used in the windows for controlling the light.

107. *Cloakrooms and furniture*.—(a) A cloakroom shall not be less than 6 feet wide and shall have at least one outside window.

(b) Each room should be seated with single desks of suitable size.

108. *Water supply, etc.*—(a) Sanitary drinking fountains or individual drinking cups shall be used exclusively in the public schools. When it is necessary to use a water receptacle a tank with a faucet shall be provided. The common drinking-water pail will not be permitted.

(b) In communities where there is no public water supply, tubular or driven wells must be provided to furnish water for drinking purposes. Water from a dug well shall not be used for drinking purposes in a public school.

(c) Water for washing the hands must be provided. Towels for common use are prohibited.

109. *Toilets*.—Toilet rooms shall be so located as to receive direct light and air from the outside. Local vents for water-closets, as well as for general ventilation of the room, shall be provided. The room vent openings shall be near the ceiling.

110. *Outdoor toilets*.—Outdoor toilets shall be of such construction as to allow their being easily kept clean and in a sanitary condition. Doors must swing out and must be provided with springs or weights to insure closing. Each outdoor toilet must be provided with at least one window. All windows and openings except doorway must be screened. Provisions should be made for heating outdoor toilets.

111. *Fire alarm*.—All school buildings of four rooms or more must be provided with an efficient fire-alarm system.

Slaughterhouses—Sanitary Regulation. (Reg. Bd. of H., July 25, 1913.)

112. Every person owning, leasing, or occupying any place, room, or building wherein cattle, sheep, swine, or poultry (except poultry not exposed for sale) are killed or dressed, or any market, public or private, shall cause such place, room, building, or market to at all times be kept thoroughly cleansed and purified, and all offal, blood, fat, garbage, manure, or other unwholesome or offensive refuse shall be removed therefrom at least once in every 24 hours if used continuously, or, if used occasionally, within 24 hours after using; and the floors of such building or premises shall have an impermeable floor, made of cement or tile laid in cement, brick, or other nonabsorbent material, which can be flushed and washed clean with water, and which shall be approved by the State board of health. No blood pit, dung pit, offal pit, or privy well shall remain or be constructed within any such place, room, or building; nor shall any swine be kept or fed within 150 feet of the slaughterhouse. Doors and windows must be screened to exclude flies, and side walls painted or whitewashed.

113. Slaughterhouses are required to be kept in a sanitary condition, and unsanitary conditions shall be deemed to exist whenever and wherever any one or more of the following conditions appear or are found, to wit: If the slaughterhouse is dilapidated and in a state of decay; if the floors or side walls are soaked with decaying blood or other decaying matter; if cobwebs or other evidences of filth or neglect are present; if the drainage of the slaughterhouse yard is not efficient; if maggots or filthy pools or hog wallows exist in the slaughterhouse yard or under the slaughterhouse; if storage hides kept in slaughterhouses are in pools of filth, or infested with maggots, or giving out vile odors; if the water supply used in connection with the cleansing is not pure and unpolluted, or if odors or putrefaction exists therein; if bones or refuse are not burned or buried; if dead animals are being fed; if carcasses are transported from place to place when not covered with clean white cloth, or if kept in unclean, bad smelling ice boxes, refrigerators, or storage rooms.

114. If the floors of such killing places are found to be in an unsanitary condition by the inspector or health officer, he may require such floors to be constructed of cement,

or tile laid in cement, or brick, so as to prevent the blood, foul liquid, or washings from being absorbed. All new slaughterhouses shall be constructed with cement floor and killing beds.

115. All slaughterhouses must be inspected by the health officer at least once a year.

Offensive Trades—Permit Required. (Reg. Bd. of H., July 25, 1913.)

116. No tannery, slaughterhouse, butcher shop, creamery, feeding yards for stock, livery or boarding stable, rendering establishment, or other offensive trade or business, shall be located in any city, village, or township in South Dakota without first having secured a permit for such location from the local board of health. Such permit shall designate the place where such trade or business may be carried on.

Creamery Waste—Disposal of. (Reg. Bd. of H., July 25, 1913.)

117. Creamery waste or washings must not be discharged upon the surface of the ground, or upon low places where it will remain during the process of decomposition, or into a slough, pond, lake, or other body of stagnant or standing water.

Bodies of Dead Animals—Disposal of. (Reg. Bd. of H., July 25, 1913.)

118. No carcass of any dead animal shall be left unburied in the State of South Dakota, nor shall it be thrown into any lake, stream, pond, well, or any other body of water.

119. Any such carcass shall be buried by the owner so that it will be covered by at least 3 feet of earth.

120. Burial shall be made within 24 hours after death, and in all cases of death from a communicable disease the body shall be thoroughly enveloped in quicklime.

121. At all municipal dumping grounds where carcasses are disposed of, provision must be made for their immediate burial.

122. In lieu of the foregoing the dead bodies of animals may be burned.

Foodstuffs—Protection of. (Reg. Bd. of H., July 25, 1913.)

123. Prepared foodstuffs, such as bakers' goods, confectionery, shelled nuts, etc.; dried fruits, such as dates, figs, peaches, apricots, etc.; cereal products, such as tapioca, breakfast foods, noodles, etc.; pickled products, such as pickles, chili sauce, chow-chow, etc.; fruit products such as apple butter, jellies, jams, etc., meat products, such as dried, salted, or smoked fish, veal loaf, pickled pigs' feet, mince meat, chipped beef, boiled ham, or other food prepared for eating or subject to attack of worms or flies, and all fresh meats, whether in large or small cuts, chopped meats, sausage, liver, hearts, and all other edible meats, shall not be displayed for sale unless protected from flies, dust, dirt, and all other foreign or injurious contamination by suitable coverings of glass, wood, or metal.

Barbers and Barber Shops—Sanitary Regulation. (Reg. Bd. of H., July 25, 1913.)

124. The owner of any barber shop shall equip said shop and keep said shop equipped with running hot and cold water, and with all such appliances, furnishing, and materials as may be necessary to enable persons employed in or about said shop to comply with the requirements of this regulation, and shall keep said shop, furniture, tools, and appliances and equipment used therein at all times in a cleanly condition.

125. No owner or manager of a barber shop shall knowingly permit any person suffering from a communicable skin disease or from a venereal disease to act as a barber in said shop.

126. No person who to his own knowledge is suffering from a communicable disease or venereal disease shall act as a barber.

127. Every owner of a barber shop shall cause all combs, hair brushes, hair dusters, and analogous articles to be washed thoroughly at frequent intervals and to be kept clean at all times, and shall cause all mugs, shaving brushes, razors, scissors, clippers, and tweezers to be sterilized by immersion in boiling water after every separate use thereof.

128. No barber shall use for the service of any customer a comb, hair brush, hair duster, or any analogous article that is not thoroughly clean, nor any mug, shaving brush, razor, shears, scissors, clippers, or tweezers that are not thoroughly clean or that have not been sterilized since last used.

129. No barber shall use for the service of any customer any towel or wash cloth that has not been boiled and laundered since last used.

130. Every barber shall cleanse his hands thoroughly immediately before serving each customer.

131. No barber shall, to stop the flow of blood, use alum or other material, unless the same be used as a powder and applied on a clean towel.

132. No barber shall use a powder puff or sponge for or in the service of a customer. For shaving barbers shall use a separate lather for each customer.

133. No barber shall permit any person to use the headrest of any barber's chair under his control unless the headrest is covered with a towel that has been washed since last being used, or by a clean new paper.

134. No barber shall shave any person when the surface to be shaved is inflamed or broken out or contains pus, unless such person be provided with a cup and shaving brush for his individual use.

135. No person shall use a barber shop as a dormitory, nor shall any owner of said barber shop permit said shop to be so used.

136. The owner of every barber shop shall keep a copy of these rules, to be furnished by the board of health, posted in said shop for the guidance and information of persons working or employed therein.

137. Any barber or owner violating any of the provisions of this regulation shall be guilty of a misdemeanor.

Annual Sanitary Inspection of Cities and Villages. (Reg. Bd. of H., July 25, 1913.)

138. The health officer in each city and village in the State of South Dakota shall make a thorough sanitary inspection of his municipality in the month of May, and present written report of such inspection, together with his recommendations, to the council on or before the 1st day of June of the year in which the inspection is made. The health officer shall send a copy of this report to the State board of health before July 1 of the same year. Other sanitary inspection shall be made during each year, if deemed necessary.

139. Preceding the regular May sanitary inspection the health officer in each city and village shall publish in a local paper or by means of bills posted in two or more conspicuous places an order for the citizens to thoroughly clean all yards, vaults, cesspools, and all sheds or barns containing manure on or before a given date. If upon inspection this general order is found not to be carried out, then like individual notices shall be served.

Embalming—Burial. (Reg. Bd. of H., July 25, 1913.)

140. *Embalmers.*—Every funeral director or embalmer who wishes to qualify as competent to prepare a body for burial or transportation shall comply with the following requirements: He shall make application to the State board of embalmers for a license. Such application shall contain the name of the applicant in full, age, and place of residence. It shall be indorsed by a licensed embalmer and two registered physicians of good repute as to the applicant's general standing.

The examination shall consist of:

(a) A written examination of not less than 50 questions upon the following subjects:

	Questions.
Anatomy of the principal organs of the body.....	10
The cavities of the human body.....	5
Arterial and venous system.....	10
The blood and discolorations.....	5
Arterial and cavity embalming.....	10
Bacteria and disinfection.....	6
Transportation rules.....	4

The applicant must attain a proficiency of 75 per cent on the entire examination.

141. The remains of the dead must be prepared for burial or shipment by a licensed embalmer.

142. Railroad officials and employees throughout the State of South Dakota must not receive for shipment the remains of any dead person unless the same have been prepared by a licensed embalmer.

143. *Embalming fluids.*—In the shipment of the dead in South Dakota not less than 8 parts by weight of embalming fluid to 150 parts of body weight shall be used for arterial embalming. In addition, in any case of contagious, infectious, or communicable disease, the body shall be washed and all orifices plugged with an absorbent material saturated with a formaldehyde solution, and not less than 8 parts by weight of embalming fluid to 150 parts of body weight shall be equally distributed by injection, one-half in the thorax and one-half in the abdominal cavity. In case of cancer all exposed surfaces shall be firmly bandaged with a dressing of absorbent material saturated with the same embalming fluid. Eroded surfaces and discharged sinuses shall be bandaged and dressed as directed for cancer.

144. All embalming fluids sold or used in South Dakota must contain formaldehyde gas in the proportion of 5 per cent by weight of the gas in every 100 parts by volume of the fluid, and must not contain any ingredients that interfere with the germicidal action of the formaldehyde. Such embalming fluids must not contain chloral, nor shall they contain arsenic, mercury, zinc, or other mineral poisons.

145. A list of ingredients in every embalming fluid sold or used in South Dakota must be on file in the office of the State board of health.

146. *Disposal of the dead.*—Only licensed embalmers shall be permitted to take charge of the remains of one who has died of smallpox, scarlet fever, diphtheria, or other dangerous communicable disease. Such remains must be properly disinfected and inclosed in a tightly sealed coffin, which shall not thereafter be opened. The funeral of such person shall be strictly private, and in the removal of the remains for burial or other purposes only such a vehicle shall be employed as is authorized by the local health officer.

147. The dead body of any human being must not remain unburied for a period longer than four days unless the same is to be shipped, in which event shipment must begin within this time. When death is due to any of the diseases specified in regulation 143, the body must not remain unburied for more than 24 hours unless prepared for shipment as provided for under the transportation regulations.

148. No embalming fluid containing arsenic or mercury shall be used in South Dakota in the embalming of dead human bodies for burial.

149. All shipping permits issued in South Dakota for the transportation of the remains of the dead must be signed by a licensed embalmer. A firm name must not be used in the signing of such permit unless all members of the firm are licensed embalmers.

150. The shipment of the dead must be governed by the transportation regulations printed on the shipping blanks furnished by the State board of embalmers.

Physicians—Examination—License to Practice Medicine. (Reg. Bd. of H., July 25, 1913.)

151. *State medical examinations.*—No person shall be issued a license to practice medicine in the State of South Dakota unless he shall have made application to the State board of health through the secretary thereof upon such form and in such manner as shall be adopted and prescribed by said board and shall have obtained from said board and possess in full force and virtue a valid license to do so. Reciprocity may be permitted.

152. Each applicant for license must make an affidavit setting forth his age, place of residence, preliminary education, time and place of each course of medical lectures, and date of graduation. Blank forms can be obtained from the secretary. The affidavit must be corroborated by the exhibition of his diploma. He must also furnish a certificate of good moral character signed by two reputable physicians who are personally acquainted with him, or if he has been in practice for one year, he must furnish a certificate signed by the president and secretary of the local medical society. He must also furnish with his application an unmounted photograph of himself taken within the preceding year, on the back of which shall appear an affidavit to the effect that the picture is a true likeness of himself. This photograph shall remain the property of the board.

153. A fee of \$20 must accompany each application. No portion of this fee is returned in case of failure.

154. All applicants for examination to practice medicine in this State who matriculated in a medical school subsequent to August 1, 1911, must as a prerequisite thereto present satisfactory evidence to said board of preliminary education consisting of an accredited four years' high-school course and in addition two years in college of liberal arts or its equivalent.

155. All applicants for examination for license to practice medicine in this State who matriculated subsequent to 1908 and prior to August 1, 1911, must present satisfactory evidence of a four years' course in an accredited high school and in addition one year in a college of liberal arts or its equivalent.

156. Each applicant if he graduated after January 1, 1905, or completed his course of lectures after January 1, 1905, must show proof that he has attended four full courses of lectures of at least eight months each year at a recognized medical school.

157. Each applicant if he graduated prior to January 1, 1905, must show proof of having attended three full courses of at least six months (no two courses being in the same year), each at a recognized medical college.

158. Regular examinations will begin at 9 a. m. on the second Tuesday in January and July of each year at such place as the board may designate. Examinations shall be both written and oral and shall include the following subjects: Anatomy, histology and embryology, physiology, chemistry, pathology, therapeutics, practice of medicine, surgery, obstetrics, gynecology, diseases of eye, ear, nose, and throat, bacteriology, medical jurisprudence, skin and genito-urinary, hygiene and sanitation, and practical laboratory work in chemistry, urinalysis, pathology, bacteriology, and such other branches as the board may deem advisable.

159. Candidates are not permitted to communicate with each other in any manner whatever during the examination, to consult notes or books, or use any dishonest or unfair means of securing or imparting information. Any candidate who disregards this rule will be barred from further examination.

160. All candidates will be required to appear in person before the board for identification, and at the same time he must present his diploma for verification.

161. The examination is written in the English language. If any candidate is unable to write the English language he will be allowed to write in his native language, provided he pays the cost of translation.

162. A general average of 75 per cent must be obtained in order to secure a license.

163. Each applicant is known by his number, which is arranged as follows: Envelopes are numbered and each contains a blank bearing the corresponding number, on which the applicant writes his name and address. The complete blank is returned to the envelope and the envelope is sealed by him.

164. Each applicant will place upon his answer papers the number given him, the year of his graduation, and the subject upon which he is writing. No other marks of identification must appear; if so, said paper will be discarded and no credit given for answers thereon.

165. All applications for license, together with fee for same, must be in the hands of the superintendent on or before the 1st day of July or January. No applicant need appear for examination who has not fulfilled this requirement.

166. Any applicant who appears at the examination hall under the influence of alcohol will not be examined.

167. A permit to practice in this State before a license is issued will under no circumstances be granted.

Reciprocity.—As a basis for establishing reciprocal relations with other States the State board of health adopts qualification No. 1 as outlined by the American Confederation of Reciprocating, Examining, and Licensing Medical Boards, viz:

168. *Qualification No. 1.*—That a certificate of registration showing that an examination has been made by the proper board of any State, on which an average grade of not less than 75 per cent was awarded, the holder thereof having been at the time of said examination a legal possessor of a diploma from a medical school in good standing in the State where reciprocal registration was sought may be accepted in lieu of examination as evidence of qualification. Provided that in case the scope of said examination was less than that prescribed by the States in which registration is sought, the applicant may be required to submit to a supplemental examination by the board thereof, in such subjects as have not been covered. And provided further, that the applicant shall have been reputably engaged in the practice of medicine in the State from which he seeks reciprocity for at least one year subsequent to receiving the license upon which registration is sought in this State.

169. A physician or surgeon duly authorized to practice medicine or surgery in another State, who wishes to remove from such State and reside and practice his profession in this State, and who seeks reciprocal indorsement from this board under qualification No. 1.

(a) Shall make an application on a form prescribed by this board and pay a fee of \$20.

(b) Present a certificate or license issued after examination by the medical board of such State.

(c) Appear in person before the board for identification with properly certified photograph not later than the first day of the regular examination.

(d) Must have been engaged in the practice of his profession in the State from which he seeks reciprocal indorsement at least one year.

(f) The blank form prescribed and furnished him by this board must be properly completed in every respect and returned to the superintendent on or before the first day of the month preceding the regular examination.

(g) Reciprocates coming from States which do not require the practical examination in laboratory work and the clinical and oral examinations must take them as supplementary before this board.

(h) Applications for reciprocal indorsements can not be acted upon except at regular meetings.

(i) Graduates of 1905 and thereafter must have a minimum entrance requirement of graduation from an accredited high school or its equivalent.

(j) Graduates of 1912 and thereafter must have the preliminary requirements as previously outlined.

170. No medical college who accepts or graduates students without meeting the requirements relating to the preliminary education as a prerequisite to medical education will be considered in good standing by this board. All medical schools are requested to advise their students of the educational requirements of this State. Copies of medical practice act and rules and regulations regarding examination of candidates for license to practice medicine in this State may be had by addressing the superintendent of this board.

Common Towels—Prohibiting the Use of, in Public Places. (Reg. 17, Bd. of H., Feb. 28, 1913.)

The use of roller towels or any large towel which may be used for more than one service shall not be permitted in any hotel, schoolhouse, restaurant, boarding house, saloon, clubhouse, or public lavatory or wash room, nor in any public or private place where a number of people congregate in the State of South Dakota; but instead the owners, proprietors, managers, or other persons in charge of such places shall provide a sufficient quantity of individual towels of any fabric approved by the board of health, so that each person shall have a clean one for his own use.

TENNESSEE.

Habit-Forming Drugs—Sale of. (Chap. 11, Act Sept. 25, 1913.)

SECTION 1. That on and after the taking effect of this act, it shall be unlawful for any person in the State of Tennessee to sell, barter, distribute, or give away any opium or coca leaves, or any compound, manufacture, salt, derivative, or preparation thereof: *Provided*, That this shall not apply—

(a) To the dispensing or distribution of any said drugs to any patient by a physician, dentist, or veterinary surgeon, registered in the State of Tennessee under the provisions of the several acts regulating the practice of their profession: *Provided, however*, That said distribution or dispensing shall be in the course of his professional practice only, and that such physician, dentist, or veterinary surgeon shall personally attend such patient.

(b) To the sale, dispensing, or distribution of any said drugs by pharmacists registered under the laws of the State governing the practice of the profession of pharmacy to a consumer under and in pursuance to a written prescription issued by a physician, dentist, or veterinary surgeon of the standing mentioned in (a) above: *Provided, however*, That such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, or veterinary surgeon who shall have issued the same.

(c) To the sale or distribution of any of the aforesaid drugs by any wholesale druggist, dealer, or jobber within the State to a retail dealer.

SEC. 2. That every wholesale or retail dealer shall keep in his place of business a registry, to be made in accordance with the rules and regulations hereinafter provided for; said registry shall plainly show all purchases made by said persons of the aforesaid drugs, date purchased, from whom purchased, and amount of said purchase. He shall likewise keep a registry which shall show all sales of said products, including the date on which sale is made, the amount sold, and to whom sold. All retail dealers and pharmacists doing business pursuant to the terms of this act shall likewise keep on file for a period of two years all prescriptions containing such drugs, which have been filled by them. Said records of every character shall be open to inspection by all State and municipal officials who are charged with the enforcement of any law or municipal ordinance regulating the sale, prescribing, dealing in, or distribution of the aforesaid drugs. Physicians who shall dispense or distribute any of the aforesaid drugs provided by this act shall keep a duplicate of all prescriptions issued by them for a term of two years, and said duplicates shall be subject to inspection by any of the officers named in the preceding paragraph.

SEC. 3. That the possession or control of any of the aforesaid drugs, by any persons other than those excepted in section 1 and 2 of this act shall be presumptive evidence of a violation of this act: *Provided*, That this section shall not apply to any employee of any person exempted as above, who has such possession or control by virtue of his employment, and not on his own account, or to any United States, State, or municipal officer, board, or other authorities who or which has possession of any such drugs for purposes of investigation, enforcement of law, or otherwise; or to a warehouseman holding possession of same for a person exempted under the provisions of this act, or to common carriers engaged in transporting such drugs: *Provided further*, That it shall not be necessary to negative any of the aforesaid exemptions in any complaint, information, indictment, or other writ or proceeding laid or brought under this act; and the burden of proof of any such exception shall be upon the defendant.

SEC. 4. That the provisions of section 2 above shall not apply to any person who keeps the records therein named in accordance with the laws of the United States as now existing, or which shall hereafter be made providing for such records.

SEC. 5. That the word "person" as used in this act shall be construed to import the plural or singular, as the case demands, and shall include firms, corporations, companies, societies, and associations.

SEC. 6. That it is hereby made the special duty of the pure food and drug inspector and his duly appointed assistant inspectors and chemists to specially enforce the provisions of this act, and rules and regulations for its enforcement shall be made by the said State pure food and drug inspector, and the secretary of State board of health.

SEC. 7. That any person who shall disclose any of the information contained in the registers, prescriptions, or other records mentioned in this act, except for the purpose of the enforcement of the provisions of this act, or of enforcing any other law of the State or the ordinances of any municipality, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be fined and imprisoned as hereinafter provided.

SEC. 8. That the provisions of this act shall not be construed to apply to the sale, distribution, giving away, or dispensing of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-twelfth of a grain of heroin, or more than 1 grain of codein, or any salt or derivative of any of them in 1 fluid ounce, or if a solid or semisolid preparation, in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine, or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are sold, distributed, given away, or dispensed as medicines and not for the purpose of evading the intentions and provisions of this act. The provisions of this act shall not apply to decocainized coca leaves, or preparations made therefrom or to other preparations of coca leaves which do not contain cocaine.

SEC. 8-A. That no retail druggist or dealer shall have on hand at one time a stock greater than 5 ounces of cocaine or of tropa-cocaine, hollo-cocaine, nova-cocaine, alpha eucaine, beta eucaine, and if the stock on hand of any one of said substances shall be as much as 5 ounces none of the other substances shall be kept on hand at the same time. Said drugs shall not be sold in the flake or crystal form, but in solution only, which said solution shall not be stronger than 5 per cent.

SEC. 9. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof for the first offense, shall be punishable by a fine of not less than \$50 nor more than \$100, and for the second offense by a fine of not less than \$100 nor more than \$500, and by imprisonment for 30 days in the county workhouse. It shall be the duty of the circuit and criminal court judges of this State to give the provisions of this act in special charge to the grand jury, and the grand jury shall have and exercise inquisitorial power over any violation of this act, and no prosecutor shall be required for an indictment against a person for violating the provisions of this act.

SEC. 10. That all laws and parts of laws in conflict herewith shall be and the same are hereby repealed, and this act shall take effect from and after January 1, 1914, the public welfare requiring it: *Provided, however*, That nothing contained in this act shall be construed to impair, alter, amend, or repeal any of the provisions of chapter 297 of the acts of 1907, or any amendments thereto.

Births and Deaths—Registration of. (Chap. 30, Act Apr. 2, 1913.)

SECTION 1. That the State board of health shall have charge of the registration of births and deaths; shall prepare the necessary instructions, forms, and blanks for obtaining and preserving such records, and shall insure the faithful registration of the same in each primary registration district as constituted in section 3 of this act,

and in the central bureau of vital statistics at the capital of the State. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall from time to time promulgate any additional forms and amendments that may be necessary for this purpose.

SEC. 2. That the central bureau of vital statistics shall be under the general charge and supervision of the secretary of the State board of health, and under immediate direction of an assistant who shall be known as the assistant secretary of the State board of health and registrar of vital statistics, and who shall be a graduated medical practitioner of not less than three years' practice in his profession, and a competent vital statistician and shall perform the duties herein prescribed, and in addition thereto those duties now performed by the assistant secretary of the State board of health, as now constituted. The assistant secretary and registrar of vital statistics shall be appointed by the State board of health. He shall hold office for a period of five years from the date of his appointment. Should a vacancy occur, the position shall be filled for the unexpired term, as in the manner previously prescribed.

Said assistant secretary and registrar of vital statistics shall receive as compensation for his services the sum of \$3,000 per annum, payable monthly from the date of his appointment on warrant of the comptroller, as other salaries are paid. The State board of health shall provide for such clerical and other assistants as may be necessary for the purposes of this act, who shall serve at the pleasure of the board, and said board shall fix the salary of persons thus employed within the amount appropriated therefor by the general assembly.

Suitable apartments shall be provided by the State board of health for the bureau of vital statistics, which shall be properly equipped for the permanent and safe preservation of all official records made and returned under this act. The sum of \$3,000 be, and the same is hereby, appropriated annually out of any moneys in the treasury of the State for the purpose of paying said salaries and other expenditures made in pursuance of the provisions of this act.

SEC. 3. That for the purpose of this act the State shall be divided into registration districts as follows: Each city, incorporated town, and civil district shall constitute a primary registration district: *Provided*, That the State registrar may combine two or more primary districts into one primary registration district.

SEC. 4. That within 90 days after the taking effect of this act, or as soon thereafter as possible the State registrar shall appoint a local registrar of vital statistics for each registration district in the State. The term of office of the local registrar shall be for four years, beginning with the first day of January of the year in which this act shall take effect, and until their successors are appointed and qualified: *Provided further*, That in cities where health officers or other officials are conducting effective registration of births and deaths under local ordinances at the time this act goes into effect, such officials may be appointed as registrars in and for such cities, and they shall be subject to the rules and regulations of the State registrar, and to all the provisions of this act. Any local registrar appointed by said board who fails or neglects to discharge efficiently the duties of his office as provided in this act, or who fails to make prompt and complete returns of births and deaths, as required hereby, shall be removed from office by the State registrar, and his successor appointed, and he shall be subject to all other penalties imposed under other sections of this act.

Each local registrar appointed under the provisions of this act, shall, immediately upon accepting the appointment, appoint a deputy, who shall perform the duties of local registrar during his absence, illness, or disability, said deputy shall in writing accept such appointment, and shall be subject to all rules and regulations and penalties governing local registrars. And when it may appear necessary for the convenience of the people in any rural district, the local registrar is hereby authorized with the approval of the State registrar, to appoint one or more suitable persons to act as sub-registrars, who shall be authorized to receive certificates, and to issue burial or removal

permits in and for such portions of the district as may be designated; and each sub-registrar shall note over his signature the date on which each certificate was filed, and shall forward all certificates to the local registrar of the district within 10 days, and in all cases before the third day of the following month: *Provided further*, That all subregistrars shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform their duties in accordance with the provisions of this act or the rules and regulations of the State registrar, and they shall be liable to the same penalties for neglect of duties as the local registrar.

SEC. 5. That the body of any person whose death occurs in the State shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, or removed from or into any registration district or be temporarily held pending further disposition more than 72 hours after death, until a permit for burial, removal, or other disposition thereof shall have been properly issued by the registrar of the district in which the death occurred, and no such burial or removal permit shall be issued by any registrar until a complete and satisfactory certificate of death has been filed with him as hereinafter provided for: *And provided further*, That when a dead body is brought into a registration district in this State for burial or other disposition then the transit and removal permit, issued in accordance with the law and health regulations of the place where death occurred, shall be accepted by the local registrar of said district as a basis upon which he shall issue a local burial permit in the same way as if the death occurred in his district, he shall plainly enter upon the face of the permit the fact that it was a body shipped in for interment, and give the actual place of death: *And provided further*, That a burial permit shall not be required from the local registrar of the district in which interment is made, when a body is removed for purposes of burial or other disposition from one district to another in this State.

SEC. 6. That stillborn children or those dead at birth shall be registered as births and also as deaths, and a certificate of both birth and death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain in place of the name of child the word "Stillbirth," the medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "Stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterine gestation in months, if known; and burial or removal permits in the usual form shall be required; midwives shall not sign certificates of death for stillborn children, but such cases, and stillbirths occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance as provided for in section 8 of this act: *And provided further*, That a certificate of birth and death shall not be required for a child that has not advanced to the fifth month of utero-gestation.

SEC. 7. That the certificate of death shall be of the United States standard form as approved by the Bureau of the Census and shall contain the following items:

(1) Place of death, including State, county, civil district, incorporated town or city; if in a city, the ward, street and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number; if in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded "unnamed."

(3) Sex.

(4) Color or race, as white, black (negro or negro descent), Indian, Chinese, Japanese, or other.

(5) Conjugal condition, as single, married, widowed, or divorced.

(6) Date of birth, including year, month, and day.

(7) Age, in years, months, and days; if less than one day, the hours or minutes.

(8) Occupation. The occupation to be reported of any person who had any remunerative employment, women as well as men, stating (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer):

- (9) Birthplace, State or foreign country.
- (10) Name of father.
- (11) Birthplace of father, State or foreign country.
- (12) Maiden name of mother.
- (13) Birthplace of mother, State or foreign country.
- (14) Signature and address of informant.
- (15) Official signature of the registrar, with the date when certificate was filed, and registered number.
- (16) Date of death, year, month, and day.
- (17) Statement of medical attendance of decedent, fact and time of death, time last seen alive, and the cause of death, with contributory cause (secondary) or complications, if any, and duration of each, and if attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.
- (18) Length of residence (for hospitals, institutions, transients or recent residents), at place of death and in the State.
- (19) Place of burial or removal; date of burial.
- (20) Signature and address of undertaker or person acting as such.

The personal and statistical particulars (item 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such. The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (the primary cause), and the contributory (secondary cause), if any, and the duration of each.

Indefinite and unsatisfactory terms, indicating only symptoms of disease, or conditions resulting from the disease, which will not be held sufficient for issuing a burial or removal permit; and any certificate containing only such terms as defined by the State registrar shall be returned to the physician for correction and more definite statement.

Causes of death, which may be the result of disease or violence, shall be carefully defined; and, if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And in deaths in hospitals, institutions, or of nonresidents, the physician shall furnish the information required under this head (item 18), and may state where, in his opinion, the disease was contracted.

SEC. 8. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker to notify the local registrar of such death, and when so notified the registrar shall inform the local health officer and refer the case to him for immediate investigation and certification prior to issuing the permit: *Provided*, That when the local health officer is not a qualified physician, or when there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other person having adequate knowledge of the facts: *And provided further*, That if the death was caused by unlawful or suspicious means, the registrar shall then refer the case to the coroner for his investigation and certification. And any coroner whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, or if from external causes (1) the means of death and (2) whether (probably) accidental, suicidal, or homicidal; and shall in either case furnish such information as may be required by the State registrar in order to properly classify the death.

SEC. 9. That the undertaker, or person acting as undertaker, shall be responsible for obtaining and filing the certificate of death with the local registrar of the district in which death occurred, and for securing a burial or removal permit, prior to any disposition of the body. He shall obtain the personal and statistical particulars required from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, if any, or to the health officer or coroner, as directed by the local registrar for the medical certificate of the cause of death and other particulars necessary to complete the records, as specified in sections 7 and 8. And he shall then state the facts required relative to the date and place of burial over his signature and with his address and present the completed certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the sexton or person in charge of the place of burial before interring or otherwise disposing of the body; or shall attach the transit permit containing the corpse when shipped by any transportation company; said permit to accompany the corpse to its destination, where, if within the State of Tennessee, it shall be delivered to the sexton or to other person in charge of the place of burial.

SEC. 10. That if the interment or other disposition of the body is to be made within the State, the wording of the burial permit may be limited to a statement by the registrar and over his signature that a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or otherwise dispose of the deceased, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State registrar.

SEC. 11. That no sexton or person in charge of any premises in which interments are made shall enter or permit the interment or other disposition of any body unless it is accompanied by a burial removal or transit permit, as herein provided. And each sexton or person in charge of any burial ground shall indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of interment, or within the time fixed by the local board of health. He shall also keep a record of all interments made in the premises under his charge, stating the name of the deceased person, place of death, date of burial, and name and address of the undertaker; which record shall at all times be open to public inspection.

SEC. 12. Undertakers or persons acting as such when burying a body in a cemetery or burial ground having no sexton or person in charge shall sign the burial or removal permit as sexton, giving the date of burial, and shall write across the face of the permit the words, "No sexton in charge," and file the burial or removal permit within 10 days with the registrar of the district in which the cemetery is located. Every person, firm, or corporation selling caskets shall keep a record showing the name of the purchaser, purchaser's post-office address, name of deceased, date and place of death of deceased. This record to be open to inspection of the State registrar at all times. On the first day of each month the person, firm, or corporation selling caskets shall report to the State registrar each sale for the preceding month on a blank provided for that purpose: *Provided, however*, No person, firm, or corporation selling caskets only to dealers or undertakers shall be required to keep such record, nor shall such reports be required from undertakers when they have direct charge of the disposition of a dead body. Every person, firm, or corporation selling a casket at retail and not having charge of the disposition of the body shall inclose within the casket a notice furnished by the State registrar, calling the attention of the purchaser to the requirements of the law, and the rules and regulations of the State board of health concerning the burial or other disposition of the dead body.

SEC. 13. That all births that occur in the State shall be immediately registered in the districts in which they occur, as hereinafter provided.

SEC. 14. That it shall be the duty of the attending physician or midwife to file a certificate of birth, properly and completely filled out, giving all the particulars

required by this act, with the local registrar of the district in which the birth occurred, within 10 days after the date of birth. And if there be no attending physician or midwife, then it shall be the duty of the father or mother of the child, or the person in charge of a public or private institution in which the birth occurred, to notify the local registrar, within 10 days after the birth, of the fact that a birth has occurred. It shall then be the duty of the local registrar to secure the necessary information and signature to make a proper certificate of birth.

Sec. 15. That the certificate of birth shall contain the following items:

- (1) Place of birth, including State, county, civil district, incorporated town, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number.
- (2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report as hereinafter provided.
- (3) Sex of child.
- (4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural birth, giving number of child in order of birth.
- (5) Whether legitimate or illegitimate.
- (6) Full name of father except for illegitimate children.
- (7) Residence of father.
- (8) Color or race of father.
- (9) Birthplace of father; State or foreign country.
- (10) Age of father at last birthday, in years.
- (11) Occupation of father.
- (12) Maiden name of mother.
- (13) Residence of mother.
- (14) Color or race of mother.
- (15) Birthplace of mother; State or foreign country.
- (16) Age of mother at last birthday, in years.
- (17) Occupation of mother.
- (18) Number of child of this mother, and number of children of this mother now living.
- (19) Born at full term.
- (20) The certificate of attending physician or midwife as to attendance at birth, including statement of year, month, day, and hour of birth, and whether the child was alive or dead at birth. This certificate shall be signed by the attending physician or midwife, with the date of signature and address. If there is no physician or midwife in attendance, then the father or mother of the child, householder or owner of the premises, or manager or superintendent of the public or private institution, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section 13 of this act.
- (21) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth as hereinafter provided.

All certificates, either of births or deaths, shall be written legibly in unfading ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for herein or satisfactorily account for their omission.

Sec. 16. That when a certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child which shall be filled out as directed and returned to the local registrar as soon as the child shall have been named.

Sec. 17. That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in, or other institutions, public or private, to which persons resort

for treatment of diseases, confinement, or are committed by process of law, are hereby required to make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this act that are required in the forms of certificates provided for by this act, as directed by the State registrar; and thereafter such record shall be, by them, made for all future inmates at the time of their admission. And in case of persons admitted or committed for medical treatment of disease, the physician in charge shall specify for entry in the record, the nature of the disease, and where, in his opinion, it was contracted. The personal particulars and information required by this section shall be secured in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts.

SEC. 18. That the State registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and maintenance of a perfect system of registration. And no other blanks shall be used than those supplied by the State registrar. He shall carefully examine the certificates received monthly from the local registrars and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts are hereby required to furnish such information as they may possess regarding any birth or death upon demand of the State registrar in person, by mail, or through the local registrar. He shall further arrange, bind, and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered, the cards to show the name of child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained. He shall inform all registrars what diseases are to be considered as infectious, contagious, or communicable and dangerous to the public health as decided by the State board of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases.

SEC. 19. That it shall be the duty of the local registrars to supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record to see that it has been made out in accordance with the provisions of this act and the instructions of the State registrar, and if any certificate of death is incomplete or unsatisfactory it shall be his duty to call attention to the defects in the return and to withhold issuing the burial or removal permit until they are corrected. If the certificate of death is properly executed and complete he shall then issue a burial or removal permit to the undertaker, provided that in case the death occurred from some disease that is held by the State board of health to be infectious, contagious, or communicable and dangerous to the public health no permit for the removal or other disposition of the body shall be granted by the registrar except under such conditions as may be prescribed by the State board of health. If a certificate of birth is incomplete he shall immediately notify the informant and require him to supply missing items if they can be obtained. He shall then number consecutively the certificates of birth and death in two separate series, beginning with the number 1 for the first birth and the first death in each calendar year and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and death certificate registered by him in a record book supplied by the State registrar, to be permanently preserved in his office as the local board, in such manner as directed by the State registrar. And he shall, on the 10th day of each month, transmit to the State registrar all original certificates registered by him during the preceding month. And if no births or deaths occur in any month he shall on the 10th day of the following month report that fact to the State registrar on a card provided for this purpose.

SEC. 20. That each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State registrar, as required by this act. And in case no birth or death were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if promptly made in accordance with this act. All amounts payable to a registrar under the provision of this section shall be paid by the county trustee upon warrants issued by the judge or chairman of the county court of the county in which his registration district is located, said warrants to be issued upon the certificate of the State registrar, and the State registrar shall annually certify to the judge or chairman of the county court of the several counties in this State the number of births and deaths properly registered and the amount due each local registrar at the rate fixed herein.

SEC. 21. That the State registrar shall, upon request, furnish any applicant a certified copy of the record of any birth or death registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the State registrar to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn the same over to the State treasurer.

SEC. 22. That any physician who was in medical attendance upon any deceased person at the time of death who shall neglect or refuse to make out and deliver to the undertaker, sexton, or other person in charge of interment, removal, or other disposition of the body, upon request, the medical certificate of the cause of death, hereinbefore provided for, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50. And if any physician shall knowingly make a false certification of the cause of death in any case, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$50: *And provided further*, That any physician or midwife in attendance upon a case of confinement, or any other person charged with the responsibility for reporting births in the order named in section 13 of this act who shall neglect or refuse to file a proper certificate of birth with the local registrar within the time required by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50. And any undertaker, sexton, or other person acting as undertaker, who shall inter, remove, or otherwise dispose of the body of any deceased person without having received a burial or removal permit, as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50.

And any registrar, deputy registrar, or subregistrar who shall neglect or fail to enforce the provisions of this act in his district, or shall neglect or refuse to perform any of the duties imposed upon him by this act or by the instructions and directions of the State registrar, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50: *And provided further*, That any person who shall willfully alter any certificate of birth or death, or the copy of any certificate of birth or death on file in the office of the local or State registrar shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50, or to be imprisoned in the county jail not exceeding 60 days, or suffer both fine and imprisonment, in the discretion of the court: *And provided further*, That any person or persons who shall violate any of the provisions of this act, or who shall willfully neglect or refuse to perform any duties imposed

upon them by the provisions of this act, or shall furnish false information to a physician, undertaker, midwife, or informant for the purpose of making incorrect certification of births or deaths shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50.

And any transportation company or common carrier transporting or carrying, or accepting through its agents or employees for transportation or carriage, the body of any deceased person without an accompanying permit issued in accordance with the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$50: *Provided*, That in case the death occurred outside of the State and the body is accompanied by a burial, removal, or transit permit issued in accordance with the law or board of health regulations in force when the death occurred, such burial, removal, or transit permit may be held to authorize the transportation or carriage of the body into or through the State.

SEC. 23. That each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district, under the supervision and direction of the State registrar. And he shall make an immediate report to the State registrar of any violation of this law coming to his notice, by observation or upon complaint of any person, or otherwise. The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and with supervisory power over local registrars, to the end that all its requirements shall be uniformly complied with. He shall have authority to investigate cases of irregularity or violation of law, personally or by an accredited representative, and all registrars shall aid him, upon request, in such investigation. When he shall deem it necessary he shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to him by the State registrar, the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the State registrar, the attorney general shall likewise assist in the enforcement of the provisions of this act.

SEC. 24. That chapter 341 of the Acts of the General Assembly of the State of Tennessee for the year 1909, entitled, "An act to provide for the animal [annual] collection and registration of births and deaths in the State of Tennessee; to fix the compensation for such collection and registration; and to provide fine and penalty for the violation of this act," together with all other laws or parts of laws in conflict with this act, be, and the same are hereby repealed. And no system for the registration of births and deaths shall be continued or maintained in any of the several municipalities of this State other than the one provided for and established by this act.

TEXAS.

County Hospitals and Dispensaries, Establishment and Maintenance of—School for Tuberculous Children. (Act Mar. 26, 1913.)

SECTION 1. The commissioners' court of any county shall have power to establish a county hospital and to enlarge any existing hospitals for the care and treatment of persons suffering from any illness, disease, or injury, subject to the provisions of this act. At intervals of not less than 12 months, 10 per cent of the qualified property taxpaying voters of a county may petition the commissioners' court of such county to provide for the establishing or enlarging of a county hospital, in which event it shall be the duty of said commissioners' court within the time designated in such petition to submit to the property taxpaying voters of the county either at a special or at a regular election the proposition of issuing bonds in such aggregate amount as may be designated in said petition for the establishing or enlarging of such hospital; and whenever any such proposition shall receive a majority of the votes of the qualified property taxpayers voting at such election, said commissioners' court shall establish and maintain such hospital, and shall have the following powers:

To purchase and lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings, in the manner prescribed by the present law authorizing a condemnation of right of way of railroads.

To purchase or erect all necessary buildings, make all necessary improvements and repairs and alter any existing buildings, for the use of said hospital; provided, that the plans for such erection, alteration, or repair shall first be approved by the State health officer, if his approval is requested by the said commissioners' court.

To cause to be assessed, levied, and collected such taxes upon the real and personal property owned in the county as it shall deem necessary to provide the funds for the maintenance thereof, and for all other necessary expenditures therefor.

To issue county bonds to provide funds for the establishing, enlarging, and equipping of said hospital and for all other necessary permanent improvements in connection therewith. And to do all other things that may be required by law in order to render said bonds valid. To appoint a board of managers for said hospitals as hereinafter provided.

To accept and hold in trust for the county any grant or devise of land, or any gift or bequest of money, or other personal property or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

SEC. 2. When the commissioners' court shall have acquired a site for such hospital and shall have awarded contracts for the necessary buildings and improvements thereon, it shall appoint five citizens of the county, of whom at least two shall be practicing physicians, and at least one a woman, who shall constitute a board of managers of the said hospital. The term of office of each member of said board shall be two years. Appointments of successors shall be for the full term of two years, except that appointment of persons to fill vacancies occurring by death, resignation, or other cause shall be made for the unexpired term. Failure of any manager to attend three consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action of the board of managers. The managers shall receive no compensation for their services, but shall be allowed their actual and necessary traveling and other expenses within the State of Texas, to be audited

and paid by the commissioners' court in the same manner as other expenses of the hospital. Any manager may at any time be removed from office by the commissioners' court of the county for cause after an opportunity to be heard.

SEC. 3. The board of managers shall elect from among its members a president and one or more vice presidents, and a secretary and a treasurer. It shall appoint a superintendent of the hospital who shall hold office at the pleasure of said board. Said superintendent shall not be a member of the board of managers, and shall be a qualified practitioner of medicine, physician, or other person specially trained for work of such character. The board of managers shall also appoint a staff of visiting physicians, who shall serve without pay from the county, and who shall visit and treat hospital patients at the request either of the managers or of the superintendent. Said board of managers shall fix the salaries of the superintendent and all other officers and employees within the limits of the appropriation made therefor by the commissioners' court, and such salaries shall be compensation in full for all services rendered. The board of managers shall determine the amount of time required to be spent at the hospital by said superintendent in the discharge of his duties. The board of managers shall have the general superintendence, management, and control of the said hospital, of the grounds, buildings, officers, and employees thereof; of the inmates therein, and of all matters relating to the government, discipline, contracts, and fiscal concerns thereof; and make such rules and regulations as may seem to them necessary for carrying out the purposes of such hospital. They shall maintain an effective inspection of said hospital and keep themselves informed of the affairs and management thereof; shall meet at the hospital at least once in every month, and at such other times as may be prescribed in the by-laws, and shall hold an annual meeting at least three weeks prior to the meeting of the commissioners' court at which appropriations for the ensuing year are to be considered.

SEC. 4. The board of managers may also establish and operate an out-patient department or free dispensary and clinic, at the hospital or in the city nearest to which the hospital is located, with branch dispensaries or clinics in every city or town in the county of 5,000 population and over, and they shall appoint a physician or physicians who shall serve at such dispensaries or clinics, and shall determine the amount of time required to be spent at such dispensaries or clinics by such physicians, and shall fix the salaries, if any, of such physicians. Said board of managers shall also appoint one or more trained visiting nurses to serve in connection with each such dispensary or clinic, and in connection with the hospital, and shall fix their salaries, within the limits of the appropriation made therefor by the commissioners' court.

SEC. 5. The board of managers may also establish, at the hospital or in the city nearest to which the hospital is situated, or in the largest city in the county, a special and separate school for the education, care, and treatment of children suffering from tuberculosis. Said school shall be conducted as a branch of the hospital and the pupils and inmates of said school shall be considered as inmates of the hospital and subject to all the provisions of this act. Said board of managers shall appoint a teacher or teachers, specially qualified, to instruct and care for the pupil-inmates of said school. Said board of managers shall delegate the superintendent of the hospital, a member or members of the staff of visiting physicians, a physician or physicians in attendance upon any county dispensary, or shall employ a physician to attend the inmates of said school, and to supervise their care and treatment, and shall delegate one of the hospital nurses, or a visiting nurse, or shall employ a nurse to assist in the care and treatment of said pupils.

SEC. 6. It shall be the duty of the State board of health, from time to time, to make rules and regulations for the care of persons suffering from communicable disease and for the prevention and spread of such diseases, and to prepare circulars, pamphlets, bulletins, and other publications giving information as to the cause, nature, treatment, and prevention of disease. The board of managers shall, from time to time, purchase

from the State board of health, at the actual cost of printing, printed copies of such rules and regulations, circulars, pamphlets, bulletins, and other publications, or shall have same printed, and shall send or deliver such copies to all practicing physicians in the county, to all public schools, and to such private schools as request such copies, and to such organizations, churches, societies, unions, and individuals as may present written requests for copies of circulars, pamphlets, bulletins, and such other publications prepared by the State board of health.

SEC. 7. The board of managers shall keep in a book provided for that purpose, a proper record of its proceedings, which shall be open at all times to the inspection of its members, to the members of the commissioners' court of the county, and to any citizen of the county. The board of managers shall certify all bills and accounts, including salaries and wages, and transmit them to the commissioners' court of the county, who shall provide for their payment in the same manner as other charges against the county are paid. The board of managers shall make to the commissioners' court of the county, annually, and at such times as the commissioners' court shall direct, a detailed report of the operation of the hospital, dispensaries, and school during the year, showing the number of patients received and the methods and results of their treatment, together with suitable recommendations and such other matter as may be required of them, and shall furnish full and detailed estimates of the appropriations required during the ensuing year for all purposes, including maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments, or other necessary purposes.

SEC. 8. The superintendent shall be the chief executive officer of the hospital, but shall at all times be subject to the by-laws, rules, and regulations thereof, and to the powers of the board of managers.

He shall, with the consent of the board of managers, equip the hospital with all necessary furniture, appliances, fixtures, and all other needed facilities for the care and treatment of patients, and for the use of officers and employees thereof, and shall purchase all necessary supplies, not exceeding the amount provided for such purposes by the commissioners' court.

He shall have general supervision and control of the records, accounts, and buildings of the hospital, and all internal affairs, and maintain discipline therein, and enforce compliance with and obedience to all rules, by-laws, and regulations adopted by the board of managers for the government, discipline, and management of said hospital and the employees, and further rules, regulations, and orders as he may deem necessary, not inconsistent with law or with the rules, regulations, and directions of the board of managers.

He shall, with the consent of the board of managers, appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties; and for cause, stated in writing, he may discharge any such officer or employee at his discretion, after giving such officer or employee an opportunity to be heard.

He shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day in books and on records provided for that purpose, and shall see that such accounts and records are correctly made up for the annual report of the commissioners' court, as required by section 7 of this act, and present the same to the board of managers, who shall incorporate them in their report to the said commissioners' court.

He shall receive into the hospital, under the general direction of the board of managers, in order of applications, or according to the urgency of need of treatment, any person found to be suffering from any illness, disease, or injury, who has been an actual resident and inhabitant of the county for a period of at least one year prior to his application for admission to said hospital. He shall also receive into the hospital patients sent by the commissioners' court of any adjacent county, which has con-

tracted with the board of managers of the hospital for the care and treatment of its sick and diseased and injured persons, resident in such counties for a period of at least one year. Such patients shall not be received and cared for unless there is sufficient provision for the care of the sick, diseased, and injured of the county in which the hospital is situated. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation, and place of past employment.

He shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital and provide for the treatment of each such patient according to his need; and shall cause a record to be kept of the condition of each patient when admitted, and from time to time thereafter.

He shall temporarily or permanently discharge from said hospital any patient who shall willfully or habitually violate the rules thereof; or who is found not to be sick, diseased, or injured; or who is found to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of managers; and the said board shall make such final disposition of the case as they may think proper. From the decision of the board of managers there shall be no appeal.

He shall collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at the monthly meeting of the board of managers, and transmit the same to the county collector within 10 days after such meeting.

He shall, before entering upon the discharge of his duties, give a bond in such sum as the board of managers may determine, to secure the faithful performance of the duties of his office.

SEC. 9. Any resident of the county in which the hospital is situated, desiring treatment in such hospital, may apply in person to the superintendent or to any reputable physician for examination, and such physician if he find that such person is suffering from any illness, disease, or injury, may apply to the superintendent of the hospital for his admission. Blank forms for such application shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county upon request. So far as practicable, applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such application, if it appears therefrom that the patient is suffering from illness, disease, or injury, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at the hospital. If, upon personal examination of such patient, or of any patient applying in person for admission, the superintendent is satisfied that such person is suffering from any illness, disease, or injury he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital, and every application shall be filed and recorded in a book kept for that purpose in the order of its receipt. When said hospital is complete and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names and applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from any illness, disease, or injury. No discrimination shall be made in the accommodations, care, or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance, in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof any fee, payment, or gratuity whatsoever for his services.

SEC. 10. Whenever a patient has been admitted to said hospital from the county in which the hospital is situated, the superintendent shall cause inquiry to be made as to his circumstances, and of the relatives of such patient legally liable for his support. If he finds that such patient or said relatives are liable to pay for his care and treatment in whole or in part, an order shall be made directing such patient or said relatives to pay to the treasurer of such hospital for the support of such patient a specified sum per week in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. The superintendent shall have power and authority to collect such sum from the estate of the patient or his relatives legally liable for his support in the manner provided by law for the collection of expenses of the last illness of a deceased person. If the superintendent finds that such patient or said relatives are not able to pay either in whole or in part for his care and treatment in such hospital, the same shall become a charge upon the county. Should there be a dispute as to the ability to pay or doubt in the mind of the superintendent, the county court shall hear and determine same after calling witnesses, and shall make such order as may be proper, from which there shall be no appeal.

SEC. 11. The resident officer of the hospital shall admit the managers into every part of the hospital and the premises and give them access on demand to all books, papers, accounts, and records pertaining to the hospital, and shall furnish copies, abstracts, and reports whenever required by them. All hospitals established or maintained under the provisions of this act shall be subject to inspection by any duly authorized representative of the State board of health or any State board of charities that may hereafter be created, and of the commissioners' court of the county; and the resident officers shall admit such representatives into every part of the hospital and its buildings and give them access on demand to all records, reports, books, papers, and accounts pertaining to the hospital.

SEC. 12. Wherever a county hospital for the care and treatment of persons suffering from any illness, disease, or injury exists in connection with or on the grounds of a county poorhouse or elsewhere, the commissioners' court shall appoint a board of managers for such hospital, and such hospital and its board of managers shall thereafter be subject to all provisions of this act in like manner as if it had been originally established hereunder. Any hospital which may hereafter be established by any commissioners' court shall in like manner be subject to all the provisions of this act.

SEC. 13. When deemed advisable by the commissioners' court and approved by the State board of health, a county may maintain more than one county hospital for the purpose aforesaid.

SEC. 14. It shall be lawful for any commissioners' court of any county which has no city with a population of more than 10,000 persons to contract for a period not exceeding one year, with any regularly incorporated society or hospital or municipality within the county maintaining a hospital, or with any other adjacent county, for the care of any or all of the sick, diseased, or injured inhabitants of the county, upon such terms and conditions as they may by agreement think proper. Where a county has established a hospital as required by section 15 of this act, it shall be lawful for the board of managers to contract with any regularly incorporated society or hospital or city or town within the county maintaining a hospital, for the care of some of the sick, injured, or diseased persons applying for admission to the county hospital. It shall be lawful for the commissioners' court of any county to cooperate with and to join the proper authorities of any city or town having a population of 10,000 persons or more in the establishment, building, equipment, and maintenance of a hospital in said city or town, and to appropriate such funds as may be determined by said commissioners' court, after joint conference with the authorities of such city or town as may be necessary, and the management of such hospital shall be under the joint control of such commissioners' court and city authorities.

SEC. 15. Where no provision is made as provided in section 14 and no county hospital is now provided for the purpose aforesaid, or where such provision is inadequate, it shall be the duty of the commissioners' court of each county which now has a city with a population of more than 10,000 persons, on or before December 1, 1913, and of any county which may later have a city with a population of more than 10,000 persons, within six months from the time when such city shall have attained such population, such population to be ascertained by such commissioners' court in such manner as may be determined upon resolution thereof, to provide for the erection of such county hospital or hospitals as may be necessary for that purpose, and to provide therein a room or rooms, or ward or wards, for the care of confinement cases, and a room or rooms, or ward or wards, for the temporary care of persons suffering from mental or nervous disease, and also to make provision in separate buildings for patients suffering from tuberculosis and other communicable diseases, and from time to time to add thereto accommodations sufficient to take care of the patients of the county. This time may be extended by the State board of health for good cause shown. Unless adequate funds for the building of said hospital can be derived from current funds of the county, available for such purpose, issuance of county warrants and script, it shall be the duty of the commissioners' court to submit, either at a special election called for the purpose or at a regular election, the proposition of the issuance of county bonds for the purpose of building such hospital. If the proposition shall fail to receive a majority vote at such election said commissioners' court may be required thereafter at intervals of not less than 12 months, upon petition of 10 per cent of the qualified voters of said county, to submit said proposition until same shall receive the requisite vote authorizing the issuance of the bonds.

SEC. 16. Where found to be more practicable and when approved by the State board of health, two or more adjacent counties having each a population of less than 15,000 persons may join for the purpose of this act, and erect one or more hospitals for their joint use, under the terms and conditions above set forth for a single county. In such cases such combined counties shall have the same powers, and be subject to the same liabilities as a single county, herein provided for; and the district court in either county shall in such case have the same powers for the purpose of enforcing this act, as are herein provided for in case of single counties.

Streams, Pollution of—Sewage, Disposal of. (Chap. 47, Act Mar. 27, 1913.)

SECTION 1. That it shall be unlawful for any person, firm or corporation, private or municipal, to pollute any water course or other public body of water, from which water is taken for the use of farm live stock and for drinking and domestic purposes, in the State of Texas, by the discharge, directly or indirectly, of any sewage or unclean water or unclean or polluting matter or thing therein, or in such proximity thereto as that it will probably reach and pollute the waters of such water course or other public body of water from which water is taken for the use of farm live stock and for drinking and domestic purposes. A violation of this provision shall be punished by a fine of not less than \$100 and not more than \$1,000. When the offense shall have been committed by a firm, partnership, or association, each member thereof who has knowledge of the commission of such offense, shall be held guilty. When committed by a private corporation, the officers and members of the board of directors, having knowledge of the commission of such offense, shall each be deemed guilty; and when by a municipal corporation, the mayor and each member of the board of aldermen or commission, having knowledge of the commission of such offense, as the case may be, shall be held guilty, as representatives of the municipality; and each person so indicated, as above, shall be subject to the punishment provided hereinabove: *Provided, however,* That the payment of the fine by one of the persons so named shall be a satisfaction of the penalty as against his associates for the offenses for which he may have been convicted: *Provided,* The provisions of this act shall not apply to any place or premises

located without the limits of an incorporated town or city, nor to manufacturing plants whose effluents contain no organic matter that will putrify, or any poisonous compounds, or any bacteria dangerous to public health or destructive of the fish life of streams of other public bodies of water.

SEC. 2. Upon the conviction of any person under section 1 of this act it shall be the duty of the court, or judge of the court, in which such conviction is had to issue a writ of injunction, enjoining and restraining the person or persons or corporation responsible for such pollution from a further continuance of such pollution; and for a violation of such injunction the said court and the judge thereof shall have the power of fine and imprisonment, as for contempt of court, within the limits prescribed by law in other cases: *Provided*, That this remedy by injunction and punishment for violation thereof shall be cumulative of the penalty fixed by section 1 of this act; and the assessment of a fine for contempt shall be no bar to a prosecution under section 1; neither shall a conviction and payment of fine under section 1 be a bar to contempt proceedings under this section.

SEC. 3. Any city or town of this State with a population of more than 50,000 inhabitants which has already an established sewerage system dependent upon any water course or other public body of water from which water is taken for the use of farm live stock and for drinking and domestic purposes, or which discharges into any water course or other public body of water from which water is taken for the use of farm live stock and for drinking and domestic purposes, shall have three years from and after the taking effect of this act within which to make other provisions for such sewage. Cities and towns of less population than 50,000 inhabitants shall have three years within which to make other arrangements for the disposal of such sewage. Any person, firm, or corporation, private or municipal, coming under or affected by the terms of this bill, or any independent contractor having the disposal of the sewage of any city or town, shall have three years within which to make other arrangements for the disposal of such sewage, or other matter which may pollute the water, as defined in this bill.

SEC. 4. The Texas State Board of Health is authorized, and it is hereby made its duty, to enforce the provisions of this act; and to this end the governor shall appoint, by and with the consent of the senate, an inspector, to act under the direction of the said board of health and the State health officer, making such investigations, inspections, and reports, and performing such other duties in respect to the enforcement of this act as the said board of health and the State health officer may require.

UTAH.

Tuberculosis—Reporting of Cases Required—Precautions to be Observed. (Chap. 68, Act Mar. 9, 1913.)

SECTION 1. *Section amended.*—That section 1113x27, Compiled Laws of Utah, 1907, be and the same is hereby amended to read as follows:

1113x27. *Tuberculosis to be reported—Precaution—Penalty.*—It shall be the duty of every physician, owner, agent, manager, principal, superintendent, or other officer of each and every public or private institution or dispensary, hotel, boarding or lodging house, in any town, city or county, to report to the board of health or health officer thereof, in writing, or to cause such report to be made by some proper and competent person, the name, age, sex, occupation, and latest address, and such other facts as may be required by the rules of the State board of health, of every person afflicted with tuberculosis, within one week of the discovery of such affliction.

It shall be the duty of every person afflicted with this disease and of every person in attendance upon any one sick with this disease, and of the authorities of public or private institutions or dispensaries, to observe and enforce all the sanitary rules and regulations of the State board of health for preventing the spread of pulmonary tuberculosis.

Any person afflicted with tuberculosis of the lungs or larynx, or any other disease whose virus or infecting agent is contained in the sputum or other infectious secretion shall not deposit his sputum, saliva, or other infectious secretion, in such place as to cause offense or danger of contracting the disease to any person or persons. It shall be the duty of every person afflicted with tuberculosis of the lungs or larynx, or any other disease whose virus or infecting agent is contained in the sputum, saliva, or other infectious secretion, to provide himself with a sputum flask, or receptacle in which to deposit his sputum, saliva or other infectious secretion, while traveling in any public conveyance or attending any public place, and the contents of said flask or receptacle shall be burned or otherwise thoroughly disinfected. Upon the complaint of any responsible person the local board of health or health officer shall at once investigate the conditions complained of and if found dangerous or detrimental to the public health such board of health or health officer shall make and enforce such orders as may be necessary to abate the offense or dangers caused thereby. In case of the vacation of any apartment or premises by death from tuberculosis, or by the removal therefrom of a person or persons afflicted with tuberculosis, it shall be the duty of the person or physician in charge, to notify the board of health or health officer having jurisdiction thereof, of said removal, within 24 hours thereafter, and such apartments or premises so vacated shall not again be occupied until duly disinfected as provided by law and the rules of the State board of health.

Any person who shall violate any of the provisions of this act, and any person who, without written authority from the board of health or health officer, shall remove or cause to be removed any placard placed upon premises or apartments which are or have been occupied by a person or persons afflicted with any of the diseases mentioned in this section, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$100, or punished by imprisonment in the county jail for not less than 5 days nor more than 90 days.

VERMONT.

Venereal Diseases—Notification of. (Act 218, Feb. 3, 1913.)

SECTION 1. Commencing on the date of the passage of this act the superintendent or other officer in charge of public institutions such as hospitals, dispensaries, clinics, homes, asylums, charitable and correctional institutions, shall report promptly to the State board of health the name, sex, age, nationality, race, marital state, and address of every charitable patient under observation suffering from venereal diseases in any form, stating the name, character, stage, and duration of the infection, and, if obtainable, the date and source of contracting the same.

SEC. 2. Physicians shall furnish similar information concerning private patients under their care, except that the name and address of the patient shall not be reported.

SEC. 3. All information and reports in connection with persons suffering from such diseases shall be regarded as absolutely confidential, and shall not be accessible by the public nor shall such records be deemed public records.

SEC. 4. The State board of health shall provide, at the expense of the State, facilities for the free bacteriological examination of discharges for the diagnosis of gonorrheal infections, and also shall provide, at cost, vaccines or antitoxins for the treatment of such infections. And said board shall make, at the expense of the State, the Wasserman test or examine smears for the diagnosis of syphilis; and shall furnish the treatment known as "Salvarsan" or other accredited specific treatment at cost. But such diagnosis and treatment shall not be furnished until the data required for the registration of the case has been furnished by the physician or institution treating the patient.

SEC. 5. The State board of health shall include in bulletins or circulars distributed by it information concerning the diseases covered by this act.

Tuberculosis—Treatment of Indigent Patients. (Act 219, Jan. 30, 1913, as Amended by Act No. 220, Feb. 13, 1913.)

SECTION 1. The governor shall, by virtue of his office, be commissioner of indigent tuberculous persons, and as such commissioner shall constitute the board and shall biennially report to the general assembly his doings under this act, with an account of his expenditures.

* * * * *

SEC. 4. The selectmen of the town or the mayor of the city may execute in their official capacity in behalf of their respective towns or cities, without a previous vote, the bond which may be required to be given by the town or city to indemnify the State against expenses which may accrue in consequence of the clothing or transportation of beneficiaries from such town or city.

SEC. 5. When a person is designated a beneficiary, the town or city in which he resides shall defray the expenses of his conveyance to and from the institution in which he is sent for treatment, and shall provide necessary clothing.

SEC. 6. The beneficiaries specified in this act shall receive treatment in the Vermont Sanitarium at Pittsford or a similar institution.

SEC. 7. The sum of \$5,000 is hereby annually appropriated for the purpose of carrying out the provisions of this act.

SECTION 1. Section 3 of an act entitled "An act relating to the care of indigent tuberculous persons," approved January 30, 1913, is hereby amended so as to read as follows:

"SEC. 3. The governor may designate beneficiaries under this act and shall direct the time when and the place where a beneficiary shall be treated, and the auditor of accounts shall draw orders for such treatment upon the certificate of the governor, and the governor may, in his discretion, take a bond to indemnify the State against expenses which accrue in consequence of the clothing or transportation of a beneficiary."

SEC. 2. Section 2 of an act relating to the care of indigent tuberculous persons approved January 30, A. D. 1913, is hereby amended so as to read as follows:

"SEC. 2. A person wishing treatment under this act shall be examined by two reputable physicians licensed to practice in this State, and such physicians shall, immediately after such examination, make a report in writing of their findings to the selectmen of the town or the mayor of the city in which such person resides. The selectmen of the town or the mayor of the city shall then investigate the financial condition of the person applying for treatment, and if such person is found worthy of treatment under this act, shall make a complete report of their findings, together with the report of the physicians, to the governor."

School Children—Medical Inspection of. (Reg. Bd. of H., May 1, 1913.)¹

1. The medical inspector appointed by the school directors of any town, city, or the committee of any incorporated district, shall make an inspection of the pupils of all grades of the schools of such town, city, or district, including the grammar and high schools, during the first two weeks of the opening of the school in September of each year; shall ascertain if any pupil is suffering from any disability or defect, other than defective sight or hearing, tending to prevent such pupil from receiving the full benefit of the school work, or requiring a modification of the work in order to prevent injury to the pupil or to secure the best educational results.

2. He shall make an examination of every pupil referred to him by the principal or teacher as to accidental illness, suspected contagious diseases, or smallpox, scarlet fever, measles, chickenpox, diphtheria, whooping cough, tuberculosis, influenza, scabies, pediculosis, ringworm, impetigo, trachoma, acute conjunctivitis. If any infectious disease of the nose or throat is suspected, a culture shall be taken and sent to the laboratory of the State board of health for examination.

3. If pupils are found to be affected with large tonsils or adenoids, diseased teeth, spinal curvature, chorea, epilepsy, or nervous disorders, or any other diseases which are objectionable in the school, or a source of mental or physical disability, the medical inspector shall file with the teacher a written statement relative to any pupil affected with any of the foregoing diseases, who shall send a copy to the parent or guardian of such pupil.

4. Pupils suspected of having contracted venereal disease, and thereby being a menace to other pupils, shall be reported by the teacher or principal to the medical inspector, who shall notify the parents or guardian that an examination for ascertaining the presence of such disease is necessary, but such examination shall not be made except with the consent of the parent or guardian, and in his presence, if he so desires.

5. If the medical inspector has reason to believe that the sanitary conditions in or around the schoolhouse are not in accordance with the requirements of the State board of health, or that conditions exist which are detrimental to the health of the pupils and teacher, he shall notify the local health officer, who shall at once make a sanitary in-

¹ These regulations were adopted under authority of the act of Nov. 11, 1910, which provides for the appointment of medical inspectors of schools in towns, cities, or districts when authorized by the voters, and requires inspectors to comply with "such rules and regulations as may be prescribed by the State board of health."

spection of the schoolhouse and premises and report the result of the same to the State board of health.

6. Under no circumstances shall the school inspector prescribe for or require pupils to be sent to his office. Parents shall be urged to consult their family physician in all cases.

7. The medical inspector shall report to the health officer of the town the name and residence of any pupil affected with a communicable disease.

8. The inspector shall enter in a book kept for that purpose the result of his examination of all pupils made by him, and during the month of July of each year shall report the same to the secretary of the State board of health.

9. After his annual inspection in September he shall visit each school every two months, and at other times on the request of a school director or teacher.

Local Health Officers—Fees and Allowances. (Act 215, Jan. 11, 1913.)

SECTION 1. Section 5456 of the Public Statutes is hereby amended so as to read as follows:

"SEC. 5456. For each report of a contagious disease, said health officer shall receive from the town for which he acts 15 cents; for each biennial report, \$1; and for sanitary inspection, placarding, quarantining, and disinfection of infected buildings and premises, the same as for ordinary professional services, unless he is employed for a stipulated salary. When called by the State board of health to attend a meeting of said board, he shall receive from the State his expenses and the same per diem as members of the State board."

Milk and Cream—Regulations Apply to Sale of, in Stores. (Act 177, Jan. 28, 1913.)

SECTION 1. A person who sells milk or cream over the counter for consumption as food shall be subject to the same regulations and penalties as provided in No. 118 of the acts of 1908 relating to peddling milk from house to house.

Common Towels—Use in Public Places Prohibited. (Reg. Bd. of H., May 1, 1913.)

Whereas it has been demonstrated that the use of the common or roller towel is dangerous to the public health and is a source of communication of infectious diseases; therefore, under the authority of the statute imposed upon the State board of health to promulgate rules and regulations relative to the preservation of the public health in contagious diseases and prevention of the same, the use of the roller towel, or other towel which may be used for more than one service, is hereby prohibited in any school, hotel, restaurant, boarding house, saloon, clubhouse, public lavatory, washroom, depot, or railroad car, or any other public place.

Domestic Animals—Importation of—Tuberculin and Mallein Tests—Inspection—Disposal of Bodies of Diseased Animals. (Act 225, Feb. 14, 1913.)

SECTION 1. During the month of February, 1913, and in the month of January, 1915, and biennially thereafter, the governor shall appoint a resident of this State to act as live-stock commissioner for a period of two years next ensuing, or until his successor is appointed and qualified. Said commissioner shall be paid a salary of \$1,200 a year and shall give a bond to the State treasurer for the faithful performance of his duties in the penal sum of \$5,000. He may be removed from office by the governor for cause, but only after notice and hearing. The governor shall fill a vacancy in such office. Said commissioner may employ, at the expense of the State, such clerical, veterinary, or other assistance as he deems necessary to carry out the provisions of this act; and the accounts of said commissioner for salary and expenses,

including telephone service, and payments for assistance shall be audited by the auditor of accounts and paid by the State. Said commissioner shall keep a record of all permits issued and cattle or horses imported thereon; of all animals tested on behalf of the State, with the date and place of the test, name, and residence of the owner and numbers of the earmarkers inserted or found in the ears of all animals; and a complete and accurate record of all other work performed under the provisions of this act. On or before the 15th day of September annually he shall make a report in writing to the governor, detailing the work done during the 12 months preceding said date, and he shall also, upon request, furnish the governor with information as to the progress of the work.

SEC. 2. No person shall bring, or cause to be brought, or ship, or cause to be shipped, into this State any cattle without the written permission of said commissioner. Such permission shall be in the form of a printed or written permit, and shall state the name and address of the importer, the number of animals to be imported, the name of the place where such animals are to be held in quarantine for examination, and such other particulars as shall be deemed necessary. When cattle brought into the State on such permit have reached their destination, the owner shall forthwith notify said commissioner of the fact. Said commissioner, within a reasonable time, shall, in person or through some competent assistant, examine all such animals and, if he deems it necessary, may apply the tuberculin test to all such cattle. Calves under 3 months of age from tuberculin-tested herds and accompanied by a permit and certificate of health shall not be detained in quarantine nor held for test. Such certificate of health shall be executed under oath by the party making the shipment. The importation of horses or mules into this State is hereby prohibited unless such animals are accompanied by a written permit from said commissioner or by a certificate of inspection by a veterinarian whose competency and reliability are certified to by the authorities charged with the control of live-stock sanitary work in the State in which such inspection and test have been made; or a certificate of inspection and test signed by an inspector in the employ of the United States Department of Agriculture and stationed at or near the place of shipment. When horses or mules are brought into this State on permit, and have reached their destination, the owner shall forthwith notify said commissioner of the fact. Said commissioner, within a reasonable time, shall in person or through some competent assistant, examine such animals, and, if he deems necessary, may apply the mallein test to all such horses or mules. Cattle found free from tuberculosis or other contagious or infectious disease, and all horses found free from glanders or other contagious or infectious disease, shall forthwith be released from quarantine. Animals found diseased shall forthwith be slaughtered by and at the expense of the owner, and the carcasses disposed of in the manner provided by section 13 of this act. The owner shall bear the expense of detention, examination, test, and slaughter, but not the personal expenses of the commissioner.

SEC. 3. No person shall bring or cause to be brought into this State a horse or mule unless accompanied by a permit from said commissioner or a certificate of health as provided in section 2 of this act. Such certificate of health shall be made out in duplicate. The copy shall be attached to the bill of lading for the shipment, and the original shall be mailed to said commissioner on the day of shipment.

SEC. 4. Nothing in the preceding sections shall be construed to apply to the transportation of cattle or horses through this State, nor shall it apply to horses that are driven into and out of the State on business or pleasure.

SEC. 5. Cattle brought into this State on permits may be tested in the State of origin. When animals have been so tested, they will not be held for further test in this State, provided the tests have been made by a veterinarian whose competency and reliability are certified to by the authority charged with the control of live stock sanitary matters in the State in which such test was made.

SEC. 6. Whenever said commissioner has reason to believe that tuberculosis exists in a herd of cattle and that the existence of such disease is a menace to the health of

other herds of cattle or the health of human beings, he may enter the premises of the owner of said herd, or may send a veterinary surgeon, and may make or cause to be made a thorough examination of such herd; he may, in his discretion, order the tuberculin test to be applied, whereupon, in case any animals are found to be diseased, the same proceedings shall be had as are provided in case such test had been applied or examination has been made at the request of the owner.

SEC. 7. Each animal tested by tuberculin under the provisions of this act, and which passes the test satisfactorily to the commissioner or his agent, shall have a numbered tag placed in its ear, unless such animal is already so tagged; or the number may be tattooed in the animal's ears. Tags for such purpose shall be purchased by said commissioner. The tags shall be of such character and shall be numbered and marked as he may direct. Bills for such tags shall be approved by said commissioner and paid for by the State.

SEC. 8. A person testing cattle privately with tuberculin shall report to said commissioner if any reactors are found, and shall dispose of the same without expense to the State. A person who fails to report a private test to said commissioner shall be fined not more than \$200 nor less than \$10, or be imprisoned not more than 6 months.

SEC. 9. Persons living near the State line, and who own or occupy land in an adjoining State, may procure from said commissioner permits to drive cattle or horses back and forth to pasture and for other purposes, subject to such restrictions as said commissioner may prescribe; and said commissioner may make such regulations in each case as he deems necessary. Said commissioner may grant permission for cattle or horses to enter this State for exhibition purposes during the fair season, and may make such regulations in connection therewith as he deems necessary.

SEC. 10. An owner of cattle or horses in this State may make application to said commissioner for a State test of his stock for tuberculosis or glanders. Such application shall set forth the number of animals, name and address of owner, and such other particulars as shall be required, and upon receipt of the same said commissioner shall in person, or by some competent person employed by him for that purpose, make a thorough physical examination of such animals, and, if he deems it wise, shall subject them to the tuberculin or mallein test as the case may require. If any of the animals react to the test, they shall be condemned and disposed of, after appraisal, in the manner hereinafter provided. The State shall pay the cost of examination and test under the provisions of this section, except in the case of horses tested for glanders and which do not respond to the test; in such case the cost of the test shall be paid by the owner.

SEC. 11. The provisions of section 10 of this act shall not apply in the case of owners whose animals have been tested by the State and found free from disease since the 6th of January, 1911, nor in the case of owners whose animals have been tested by the State and retested by reason of disease being found at the first test since last-mentioned date. Such owners shall keep their animals free from disease at their own expense, and shall not be entitled to compensation for cattle subsequently condemned. But said commissioner may retest cattle or horses, as provided in this act, when in his judgment the conditions warrant it, and such retests shall be made at the expense of the owner. If an animal responds to such retest, it shall be destroyed by the commissioner or his agent in the manner provided in section 13 of this act; and if such reactors are sent to a rendering plant the owner shall receive the proceeds from the sale of the same, after deducting the charges of transportation and slaughter.

SEC. 12. If said commissioner is informed by a veterinarian that a contagious disease exists, he shall make or cause to be made an examination of such suspected animals, and may in his judgment quarantine such animals or the town or place in which such animals are located, and shall take such other measures for the extermination of the disease as may seem necessary for the public good. But the provisions of this section

shall not be construed to include tuberculosis as a contagious disease, and quarantine regulations shall not apply to tuberculous cattle in such cases.

SEC. 13. The value of all animals killed by order of said commissioner or his agent shall be first appraised by the owner and the commissioner or his agent. In the event of a disagreement as to the amount of the appraisal, a third disinterested person shall be selected to act with them and appraise the animals. In making such appraisal the fact that the animals have been condemned for disease shall not be considered, but in no case shall the appraisal for a single animal exceed the sum of \$50. The owner shall be paid 75 per cent of such appraisal by the State unless the animal on being slaughtered is found free from tuberculosis, in which case the owner of said animal shall be paid the full amount of the appraisal. If condemned animals are slaughtered upon the premises of the owner, he shall provide and pay for such slaughter and may retain the hides of such animals. Condemned carcasses may be burned or buried or may be shipped to a rendering plant for disposition as hereinafter provided. When animals are killed on the premises of the owner, said commissioner or his agent shall witness their destruction and burial or burning.

SEC. 14. Barns, buildings, or inclosures in which diseased animals have been kept shall be thoroughly disinfected by and at the expense of the owner, who shall also pay for the expense of inspecting the work when finished. Directions for disinfecting shall be given by the commissioner or his agent. Such inspection shall be approved by said commissioner, and within 60 days thereafter said commissioner shall make out and approve in writing an account stating the number of animals, the appraised value of each, and the amount to be paid the owner therefor, and upon presentation thereof the auditor of accounts shall draw an order in favor of the owner for the amount to be paid him under the provisions of this and the preceding section. No indemnity shall be paid to an owner of condemned animals that have not been owned or kept within this State for at least six months previous to the discovery of the disease, unless such animals were at the time of their importation examined in accordance with the provisions of section 2 and pronounced free from disease.

SEC. 15. Under regulations to be prescribed by said commissioner and approved by the State board of health, animals which have responded to the tuberculin test but which show no marked physical indications of disease, may be retained by the owner in quarantine and used for breeding purposes. The milk of such animals, after having been sterilized or pasteurized according to such regulations, may be sold or manufactured into butter or cheese. In case animals quarantined under the provisions of this section are at any time condemned or killed, the owner shall receive no compensation therefor from the State. The premises on which such animals are kept shall be at all times subject to inspection by said commissioner or his agent or by the State board of health. Such animals may, at any time, be sold for immediate slaughter in any slaughterhouse subject to Federal inspection.

SEC. 16. Said commissioner may, with the approval of the governor, arrange for the disposition of the animals found to have tuberculosis, by tuberculin test applied as hereinbefore provided, at some fertilizer or rendering plant, or at any slaughterhouse within this State where all animals slaughtered are inspected and passed upon by an agent or official of and according to the regulations of the Bureau of Animal Industry of the United States Department of Agriculture. All contracts made by the commissioner for the sale of animals under this section shall be approved by the governor. All payments made for animals so sold shall be to the State treasurer, with a statement therewith showing the amount paid for each animal. The commissioner or his agent shall insert in the ear of each animal sold a numbered tag, and a record of such numbers shall be kept by the commissioner. All funds received from such sales shall become the property of the State. Sales made under this section shall be under such regulations as may be formulated by the commissioner with the approval of the governor.

SEC. 17. A person who intentionally interferes with or hinders the work of the commissioner or his employees under this act, or who attempts to defeat the object of the

test by a previous injection of tuberculin commonly known as plugging, or in any other way attempts to prevent an accurate and truthful determination of the condition of the animals tested, shall be fined not more than \$100 nor less than \$10, or be imprisoned not more than 30 days.

SEC. 18. A resident of this State who slaughters for human consumption at a place within this State an animal which after slaughter he finds or believes to be tuberculous, which animal shall have been owned within this State for a period of at least 6 months next preceding its slaughter, may forthwith notify said commissioner in writing, or otherwise, giving such statement of facts as the commissioner shall by general regulations require. The commissioner shall thereupon at the earliest date possible; in person or by agent, inspect the carcass of the animal in question and, if such carcass is tuberculous, he or his agent shall appraise the same at a value not to exceed 8 cents per pound; and thereupon, within 60 days, said commissioner shall furnish a certificate thereof to the auditor of accounts who shall draw an order in favor of the owner of such carcass for the sum of 75 per cent of the appraised value thereof. Such diseased carcass shall be buried or destroyed by the owner and at his expense, in the presence of said commissioner or his agent. In no case shall such sum of 75 per cent be reckoned on a sum greater than \$50 for a single animal. If, upon examination, the carcass is not found tuberculous the expenses for inspection shall be paid by the owner or the party who applied for the inspection.

SEC. 19. The sum of \$40,000, and, in addition thereto, whatever amount may be received by the State from the sale of condemned animals, is hereby annually appropriated for the purpose of carrying into effect the provisions of this act. When such funds are exhausted no further expenses shall be incurred by the commissioner except that in case of the outbreak within the State of some unusual and dangerous contagious disease of domestic animals, he may use such further sums as the governor may authorize, to be paid in the manner provided by law, but the expenses so incurred shall in no case be deducted from the amount herein appropriated.

SEC. 20. A person shipping cows as and for milch cows, subject to the tuberculin test, to any quarantine station in the State of Massachusetts, may, if any of such cows respond to the test, and if the Massachusetts board of cattle commissioners condemns or refuses to accept them, sell such condemned cows for the highest price obtainable under the Massachusetts regulations, and report in writing to the live stock commissioner of this State, within 30 days from shipment from this State, stating when such cows were shipped, the person or persons from whom purchased, the amount paid for the same, the amount received when sold in Massachusetts, the number of each animal as shown by a tag in the ear of such animal, which shall have been placed there before the animal left this State and which must agree with the record kept by the person shipping, and such other information as may be required by the live stock commissioner of this State.

SEC. 21. Upon receipt of the report required by the preceding section and a certificate from the Massachusetts board of cattle commissioners, showing the number and description of such animal, name of shipper, cause of rejection, and of a certificate under oath from the seller of the animal, together with a certificate from the owner of the animal, from whom purchased in this State, giving a description of such animal, the date and place of sale and the price paid for the same, the live-stock commissioner of this State shall, if he is satisfied of the truth of such report and such last-named certificate, so certify to the auditor of accounts, who shall allow and draw an order for a sum equal to 75 per cent of the purchase price of such animal, less the amount received for the same in Massachusetts; but in no case shall such 75 per cent be reckoned on a sum greater than \$50; nor shall the indemnity provided for in this and the preceding section be paid to or on behalf of anyone who is not a resident of the State of Vermont.

A person purchasing milch cows for shipment out of the State otherwise than as provided in section 20 of this act may have the same tested at his own expense under

the direction of the live-stock commissioner before removing the same from the State; in case said cows or any of them are found tuberculous the same proceedings shall be had and the same payments made as are provided for in section 13 of this act, and the owner shall make a report in writing to said commissioner giving the name of the person of whom said diseased cattle were purchased, the date of such purchase, and the sum paid therefor.

SEC. 22. Said commissioner may make reasonable regulations governing the bringing or shipping of animals into this State.

SEC. 23. A person who brings or causes to be brought, or who ships or causes to be shipped, into this State cattle or horses in violation of the provisions of this act, or contrary to regulations which may be made by said commissioner, shall be fined not more than \$50 nor less than \$5 for each offense; and the importation of each animal contrary to the provisions of this act shall constitute a separate offense.

SEC. 24. A person who violates a provision of this act, or a regulation made by said commissioner in accordance therewith, for which no penalty is otherwise provided shall be fined not more than \$200 nor less than \$10 or be imprisoned not more than 6 months. Justices of the peace and municipal courts shall have concurrent jurisdiction with the county court of offenses arising under this act.

SEC. 25. Sections 5607 to 5622 of the public statutes, both inclusive, and section 6154 of the public statutes and all other acts or parts of acts inconsistent with this act are hereby repealed.

Burials—Permit when Body is Brought into the State. (Act 115, Jan. 11, 1913.)

SECTION 1. Section 3313 of the public statutes is hereby amended so as to read as follows:

"SEC. 3313. Whenever a dead body is brought into this State for burial or entombment accompanied by a removal permit issued under the laws of the State from which said body is brought, such permit shall be received as sufficient authority for burial; but if not accompanied by such permit the person or persons in charge thereof shall apply to the health officer or clerk of the town or city in which said body is to be buried for a burial permit, and said health officer or clerk shall issue such permit when furnished with such information as is required by the law of this State as to the identity and cause of death of a person dying in this State."

Factories and Workshops—Authority of State Board of Health to Prescribe Regulations for the Heating and Ventilation of. (Act 216, Jan. 11, 1913.)

SECTION 1. The State board of health shall have authority to prescribe regulations for the heating and ventilation of all mills, factories, stone sheds, sheds, or other buildings in which five or more persons are employed.

Notice of the promulgation of any order or regulation made by the State board of health pursuant to the provisions of this act shall be communicated in writing to the owner, manager, or person in charge of the mill, factory, stone shed, shed, or other building concerning the ventilation and heating of which the order or regulation is made, and a copy of such order shall be kept on file by the secretary of the State board of health.

SEC. 2. The court of chancery shall have jurisdiction and power, upon application thereto by the State board of health or a party interested, to enforce its orders or the orders, rules, and regulations of said board in the premises and to restrain the use and occupation of the premises until the orders, rules, and regulations of said board are complied with.

WASHINGTON.

Communicable Diseases—Prevention of the Spread of, by Common Carriers. (Reg. Bd. of H., Jan. 20, 1913.)

REGULATION 1. No person having reason to believe that he or she is suffering from cholera, diphtheria (or membranous croup), plague, scarlet fever, smallpox, yellow fever, chicken-pox, or measles shall enter, nor shall any person permit anyone under his or her care so infected to enter any public conveyance or common carrier.

REG. 2. All conductors of railroad trains and street cars and captains of boats, if they have any reason to suspect any passenger to be suffering from any disease enumerated in regulation 1 shall immediately notify the nearest health officer or company physician (when the health officer is not available) located on their route, by the most direct and speedy means possible, of their belief, and such health officer, or company physician must meet such railroad train at the station or such street car or boat at the nearest possible point and make a thorough examination of such person and determine whether or not such disease exists.

REG. 3. When the health officer or physician notified as provided in regulation 2 shall find any person in a car, boat, or other public conveyance to be afflicted with smallpox, diphtheria, scarlet fever, or other quarantinable disease, the car, boat, or other public conveyance shall be turned over to the health officer or physician, who shall treat such conveyance as infected premises. When in the judgment of the health officer or physician the case is in such early stage of development that other passengers are not affected, the patient shall be removed from the conveyance and it shall be allowed to proceed. If the health officer or physician shall deem that the exposure is such as to have infected other passengers, he shall call upon the person in charge to remove infected conveyance from service at the first place where suitable accommodations can be secured, and such health officer or physician shall notify the health officer in whose jurisdiction the infected conveyance is left.

REG. 4. No person shall spit on the floor, furnishings, or equipment of any public conveyance, eating room, depot, depot platform, waiting room, deck, or wharf. Each common carrier is hereby required to post or display in each day coach, smoking car, or boat a notice in form or substance as follows:

For cars: "Spitting and throwing of refuse on the floor, furnishings, or vestibules of this car are prohibited by law."

For waiting rooms, eating rooms, toilets: "Spitting and throwing of refuse on the floor or furnishings of this room are prohibited by law."

For boats: "Spitting and throwing of refuse on the deck, floors, or furnishings, or in toilet rooms of this boat are prohibited by law."

REG. 5. Each sleeping car shall be furnished with one spittoon for each section or compartment. Each smoking compartment in day coaches, chair, parlor, and sleeping cars shall be furnished with at least two spittoons. Each smoking car shall be provided with at least 12 spittoons. Each combination smoking car shall be provided with at least six spittoons. Each boat carrying passengers shall provide one spittoon or more for each stateroom and general smoking saloon.

REG. 6. The drinking water and ice supply used in stations and on public conveyances shall contain no ingredients deleterious to health. In the construction of new equipment all receptacles for drinking water should be so constructed that they can not be opened readily by anyone except those having charge of them. Nothing but ice and water shall be placed in the receptacles used for the storage of drinking water. The receptacle for drinking water shall be kept thoroughly clean at all times and shall be drained and flushed at car-cleaning terminals.

When a water-borne disease has developed in epidemic form in a municipality, water from such place for car tanks shall not be used without the approval of the State board of health.

REG. 7. The use of the common or public drinking cup is prohibited on all public conveyances and in waiting rooms.

REG. 8. All public conveyances, including toilet rooms therein, shall be kept in a reasonably clean condition at all times. Dry sweeping and dusting of occupied conveyances is strictly prohibited.

REG. 9. At cleaning terminals all passenger equipment shall be thoroughly cleaned and aired, and after such cleaning the hoppers, urinals, and toilet floors shall be mopped with a 1 to 2 per cent solution of official formaldehyde.

REG. 10. Upon arrival at cleaning terminals sleeping cars shall be cleaned as follows:

The windows, doors, and ventilators shall be opened; the upper berths let down; the seat bottoms and backs lifted out; the mattresses, blankets, pillows, curtains, etc., loosely arranged for airing. If the weather permits, the removable articles mentioned above shall be taken out of the car, dusted and aired in the open, and exposed to the sunlight for a time. The rest of the cleaning of the car shall be carried out as directed for day coaches under regulation 9.

REG. 11. Sleeping cars shall be fumigated at least once every two months and after the car is known to have carried any infectious disease. Fumigation shall be carried out before the carpets have been removed or the cleaning of the car begun, and record shall be posted in the car showing where and when the fumigation was done. Preparation for fumigation shall be as follows:

Close all outside doors, windows, deck sash, and ventilators. Arrange one window or more on each side of the car so that it can be opened from the outside to avoid the necessity of entering the car while the formaldehyde fumes are strong. Open all interior doors. Pull the seats forward and loosen the pillows in the pillow boxes. Open the upper berths and lay the headboards across the seats so that one corner will rest upon the seat arm. Lay lower mattresses on the headboards with the middle arched upward, the ends being pushed together. Raise the curtain poles and hang the curtains near the end by a single hook. Throw the blankets over the curtain poles, making as few folds or thicknesses of the blanket as possible. Arch the upper mattresses in the upper berths.

Fumigation shall be carried out along the lines approved by the State board of health. After the car has been fumigated it shall remain closed for a period of at least three hours, after which time the doors and windows shall be opened as soon as possible. On rainy or damp days the car need not be kept closed after fumigation for a longer period than one hour.

REG. 12. In all public conveyances the food boxes, refrigerators, lockers, drawers, and cupboards shall be kept thoroughly sweet and clean at all times.

REG. 13. The common roller towel shall be abolished on all common carriers and in waiting rooms.

REG. 14. That all toilets, urinals, and toilet appliances in railroad stations in the State of Washington be made to comply with the same sanitary requirements as other buildings in the same town.

Communicable Diseases—Isolation—Smallpox—Measles. (Reg. Bd. of H., July 27, 1913.)

Paragraph (c), rule 4, section 6,¹ Rules and regulations relating to smallpox, was amended as follows:

"All cases of smallpox shall be handled according to the general rules laid down under section on 'Isolation' (sec. 2²) until desquamation has ceased—in an isolation hospital, wherever possible.

¹ Reprint No. 200, p. 215.

² Reprint No. 200, p. 209.

"All persons who, in the opinion of the health officer, have been exposed to small-pox shall be isolated for 18 days or shall be vaccinated, unless protected by a previous attack of smallpox or vaccination within seven years."

Paragraph (a), rule 7, section 6,¹ Rules and regulations relating to measles, was amended as follows:

"All cases of measles must be handled according to the general rules laid down under section on 'Isolation' (sec. 2²) until eruption disappears.

"All cases of measles must be reported to the health officer; and none of the children of the family in which the disease exists, who are still susceptible of acquiring the disease, shall attend any public, parochial, or private school or Sunday school for two weeks after the beginning of the last case in the family.

Hotels—Sanitary Regulation of. (Reg. Bd. of H., Jan. 20, 1913.)

1. *Plumbing.*—The plumbing of every hotel shall conform to the plumbing ordinances of the city wherein the hotel may be located: *Provided*, That if this city has no plumbing ordinance, then the plumbing shall conform to the ordinances of the nearest city having ordinances governing plumbing.

2. *Toilets.*—Every hotel shall provide at least one public toilet to every 30 rooms or fraction thereof, and shall provide at least one public urinal for every three toilets. All toilets must be properly plumbed and be connected with the sewer, wherever there is a public sewer. In cities and towns having no sewerage system, open-earth toilets or privies will be allowed, but must be disinfected with dry lime daily and emptied twice each week and thoroughly screened from flies. Open toilets must be located not less than 40 feet away from all kitchens and dining rooms and pantry openings. No privy vaults shall be allowed except those of a sanitary type approved by the State commissioner of health.

3. *Cesspools.*—In cities and towns having no sewage system, hotels with plumbing and sewage waste must be provided with a suitable disposal of the sewage, which disposal must be approved by the local health officer. Cesspools will not be allowed except upon recommendation of the local health officer, approved by the State commissioner of health.

4. *Refuse.*—All garbage and kitchen refuse must be kept in tight metal cans with a metal cover encircling the top of the can and must be removed once daily.

5. *Screening.*—All dining rooms, kitchens, and pantries must be thoroughly screened from flies.

6. *Ventilation.*—All outside sleeping rooms must have at least 500 cubic feet of air space for each individual, with sufficient openings so that a minimum of 3,000 cubic feet of air per hour can be obtained. Inside sleeping rooms must contain 1,000 cubic feet of air space for each individual and have sufficient openings connected with rooms or halls having outside openings so that a minimum of 3,000 cubic feet of air per hour can be obtained.

7. *Room disinfection.*—Whenever a room has been occupied by a guest sick with or exposed to any communicable disease, it shall be thoroughly fumigated in accordance with the directions of the local health officer before being occupied by another guest.

8. *Common drinking cup.*—The common drinking cup is prohibited in all hotel lobbies and in public toilets connected therewith.

9. *Sleeping rooms.*—No buildings shall hereafter be constructed or remodeled for hotel purposes that contain any sleeping rooms that do not open directly into the open air.

¹ Reprint No. 200, p. 215.

² Reprint No. 200, p. 209.

Births and Deaths—Registration of. (Chap. 163, Act Mar. 22, 1913.)

SECTION 1. That section 5424 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

"SEC. 5424. That for the purpose of this act the State shall be divided into registration districts as follows: Each city and incorporated town shall constitute a primary registration district, and each county, exclusive of the portion included within cities and incorporated towns, shall be subdivided by the State registrar into districts in such manner as may appear necessary for the convenience of the people, and each such district shall constitute a primary registration district, and each primary registration district shall be numbered by the State registrar."

SEC. 2. That section 5425 of Remington & Ballinger's Codes and Statutes of Washington be amended to read as follows:

"SEC. 5425. The health officer of each city and incorporated town shall be the local registrar in and for such primary registration district and shall perform all the duties of local registrar as hereinafter provided. The State registrar shall appoint a suitable person to be local registrar in and for each district not included in cities and incorporated towns, who shall hold such position during the pleasure of the State registrar and shall perform all the duties of local registrar, as hereinafter provided. Each local registrar shall immediately appoint in writing a deputy who shall be authorized to act in his stead in case of absence, death, illness, or disability."

SEC. 3. That section 5441 of Remington & Ballinger's Codes and Statutes of Washington be amended to read as follows:

"SEC. 5441. That each local registrar shall be paid the sum of 25 cents for each birth and death certificate properly and completely made out and registered with him and by him returned to the State registrar on or before the 5th day of the following month, which sum shall cover and include the making out of the burial permit and copy of the certificate to be filed and preserved in his office. And in case no births or deaths were registered during any month, the local registrar shall be paid the sum of 25 cents for each report to that effect, properly made out in accordance with the directions of the State registrar: *Provided*, That all local registrars who receive regular compensation as health officers shall not be entitled to the fee of 25 cents, above mentioned, but the duties of the local registrar shall be considered as a part of their duty as local health officer. All accounts payable to local registrars under the provisions of this act shall be paid by the treasurer or other lawful officer, out of the funds of the county or city, upon warrants drawn by the county auditor or other proper local officer of such county or city, which warrant shall specify the number of certificates properly registered and reports promptly returned where no births or deaths are registered: *Provided, however*, That no warrant shall be issued to any local registrar until he shall present a certificate from the State registrar stating the number of certificates and reports of no birth and no deaths properly returned to the State registrar, which certificates the State registrar shall issue during the months of January, April, July, and October of each year, after he shall have received the certificates and reports for the months next preceding."

SEC. 4. This act shall take effect January 1, 1914.

Burial—Depth of. (Reg. Bd. of H., July 27, 1913.)

Section 13,¹ rules regulating preparation for burial and conducting of funerals, was amended by the addition of the following, to be known as rule 12:

"Hereafter all deceased human bodies that are disposed of by earth burial in the State of Washington must be buried in the ground at a depth of at least 3 feet."

¹ Reprint No. 200, p. 226.

WEST VIRGINIA.

State Board of Health—Organization, Powers, and Duties. (Act Feb. 20, 1913.)

(An amendment and reenactment of certain sections of chapter 150 of the Code of 1906 and an addition of new sections.)

SECTION 1. There shall be a State board of health in this State, consisting of two physicians residing in each of the congressional districts thereof, and, until such a time as a bill redistricting the State is passed by the legislature, two members at large. Said physicians shall be graduates of reputable medical schools, and shall have practiced medicine for not less than six years continuously before their appointment, and no two members shall be residents of the same county when appointed; any member of the board moving into a county already the residence of another member shall vacate his office. The governor shall, in the month of May, in the year 1913, appoint said physicians, who shall be divided into two classes, each class consisting of one physician from each congressional district, and until such a time as a redistricting bill is passed, one at large. The term of office of each class shall begin on the first day of June, in the year of their appointment. The term of office for the first class shall continue two years and of the second class four years, and until their successors are appointed and qualified. When the term of office of either class, or of any of said physicians, expires the governor shall appoint their successors for the succeeding term. The governor may in like manner appoint physicians to fill any vacancy that may occur in the board, but any appointment to fill a vacancy shall be for the unexpired term. The term of office of the members of the State board of health now in office shall be continued by the governor for the term of their appointment, but at any time upon a rearrangement of district lines, or the formation of a new district in which two or more of the members live whose term of office expires at the same time, the governor shall have authority to remove, appoint, or regulate the offices in conformity to this act.

SEC. 3. Said board shall on a day to be fixed by them in every two years elect from their own number a president who shall hold his office for the term of two years, and until his successor has been elected and entered upon his duties. The board shall also have a secretary named by the governor who shall be one of their number, who shall be ex officio State health commissioner and as such exercise all the powers conferred upon him by this chapter, carry out all rules, regulations, and orders of the board, and exercise all other powers pertaining to offices of like kind. Said secretary shall be, when appointed, a physician in active practice; but during the term of his office the secretary shall devote his whole time to the duties of the office. The said board shall be a corporation by the name and style of the "State Board of Health of West Virginia," and have and use a common seal, and as such corporation may sue and be sued, contract and be contracted with, plead and be impleaded with, to the extent of the powers conferred upon them by this chapter. Said board may make and adopt all necessary rules, regulations, and by-laws not inconsistent with the laws or the constitution of the State or the United States, to enable it to perform its duties and transact its business in conformity to the provisions of this chapter. A majority of the board shall constitute a quorum for the transaction of business. The secretary shall call all meetings of the board upon orders of the president or the written request of any three members thereof.

SEC. 4. The secretary shall be the recording officer of the board, and in addition to the other duties prescribed in this chapter he shall respond to all communications from

any member of the State board and other reputable physicians, and from officers of the State, and give them such information and advice as may be necessary from time to time as to measures of sanitation or other matters connected with public health and safety. He shall be the custodian of all books and papers, instruments or appliances, belonging to the State board of health or that may be invested in his care. He shall also do and perform such other duties as the State board may lawfully direct, and in case of the prevalence of epidemic, endemic, infectious, and contagious diseases or other unusual sickness he shall, upon the request of the local health officers, visit the locality and advise with such health officers as the State board may direct and aid in the adoption of such regulations for its suppression as may seem best. He shall annually report to the governor, on or before the first day of January, each year's investigations, discoveries, and recommendations of the board, which shall be printed and distributed as soon as practicable thereafter in the same manner as other public documents of the State, except that the governor may cause said report to be printed and distributed annually.

SEC. 5. The board of health is invested with all the rights and charged with all the duties pertaining to organizations of like character, and shall be the sole advisor of the State in all questions involving the protection of the public health within its limits, and shall take cognizance of the interests of the life and health of the inhabitants of the State, and shall make or cause to be made sanitary investigations and inquiries respecting the cause of diseases, especially of epidemics, endemics, and the means of prevention, the sources of mortality, and the effects of localities, employments, habits, and circumstances of life on the public health. They shall inspect and examine the food, drink, and drugs offered for sale or public consumption, in such manner as they shall deem necessary, either in person or by agents or employees, and shall report all violations of the laws of this State relating to pure food, drink, and drugs, to the prosecuting attorney of the county in which such violation may occur, and lay before such prosecuting attorney the evidence in their knowledge of such violations. They shall also investigate the causes of disease occurring among the stock or domestic animals in the State; the methods of remedying the same, and shall gather information in respect to the matters embraced in this section and kindred subjects, for the diffusion among the people. They shall also examine into and advise as to the water supply, drainage, and sewerage of cities, towns, and villages, the ventilation and warming of public halls, churches, schoolhouses, workshops, prisons, and all other public institutions; the ventilation of coal mines and how to treat promptly accidents resulting from poisonous gases. When they believe that there is a probability that any infectious or contagious disease will invade the State from any other State, it shall be their duty to take such action and to adopt and enforce such rules as they may, in the exercise of their discretion, deem efficient for preventing the introduction and spread of disease or diseases. To better accomplish such objects, the State and county boards are empowered to establish and strictly maintain quarantine at such places as they may deem proper, and may adopt rules and regulations to obstruct and prevent the introduction or spread of contagious or infectious diseases to or within the State, and shall have power to enforce these regulations by detention and arrest, if necessary. They may have power to enter into any town, city, or corporation, factory, railroad train, steamboat, or any place whatsoever within the limits of the State for the purpose of investigating the sanitary and hygienic conditions, and may at their discretion take charge of any epidemic or endemic conditions arising within the limits of the State, and enforce such regulations as they may prescribe. But all expenses for guards, or other expenses incurred in controlling any endemic or epidemic conditions, shall be paid by the county in which such epidemic occurs.

The State board of health shall cause to be kept in the office of the county health offices vaccine lymph, diphtheria antitoxin, tetanus antitoxin, or any other serum preventives of disease that they may deem necessary, and furnish them free to the

poor and indigent, and in other cases where it may be necessary in their judgment to prevent the spread of contagion. The State board shall also cause to be kept in the office of the secretary, vaccine lymph, diphtheria antitoxin, tetanus antitoxin, and any other form of serum preventives of disease that they may deem necessary, and distribute same to county and municipal health officers to be used for the benefit of the poor and indigent, and in other cases where they may deem it urgently necessary to check contagion, free of charge.

SEC. 6. It shall be the duty of the State board of health, upon the recommendation of the county court of the county, to appoint in each county of this State one legally qualified physician who shall be known as the county health officer. His term of office shall begin July 1, 1913, and continue for a period of four years, unless removed by said State board of health for good cause. The county health officer shall receive an official salary of not less than \$100 and such other amount as the county court may add for additional services, and actual expenses necessary for traveling expenses, unless for work especially done under orders of the State board of health. The salary of the county health officer shall be paid out of the treasury of the county, and he, together with the president of the county court and the prosecuting attorney, shall constitute the county board of health, of which the county health officer shall be the executive officer. The county board of health shall exercise all the powers, rules, and regulations of the State board so far as applicable to such county. It shall be the duty of every practicing physician to report to the county health officer every case of infectious or contagious disease that may arise or come under his treatment, and the county health officer shall, at least every three months, make a full report to the State board, giving the character of all such epidemic, endemic, infectious, or contagious diseases, stating the number of cases reported, character of infection, action taken by the county board to arrest the infection, and the results.

The jurisdiction of the county boards of health shall not extend to any town or city in this State having a health board of its own, but they may be and are, auxiliary to each other, and all city, town, and village boards of health or health officers, are secondary to, and subject to all orders of the State board which may, if deemed expedient, act through the county or municipal board. Any failure to comply with any of the provisions of this section shall be considered a misdemeanor, and upon conviction thereof the offender shall be fined not more than \$100.

SEC. 7a. It shall be the duty of every county or municipal health officer, to meet with the State board of health, or its representatives, at least once a year, due notice having been given, at such time and place as said State board of health may designate, to attend a school of instruction for the purpose of familiarizing such county health officers with their duties in the interests of public health. The actual expense of the attendance of such county or municipal health officer shall be paid by the county or corporation represented by such local officer upon presentation of a certificate showing the expense of such attendance made by the State board: *Provided*, That such expense shall not exceed an amount sufficient to cover an attendance of three days in any one year. Any county health officer may be excused from attending by the State board for good cause.

SEC. 16. The secretary of the State board of health shall receive a salary to be fixed by the board, not to exceed the sum of \$3,000 per year, with traveling, clerical, and other necessary expense incurred in the performance of his official duties within the limits of the State. The other members of said board shall receive \$4 per day for the time actually and necessarily employed by them in the discharge of duties of their office. The said board shall have power to expend annually for the purpose of performing the duties imposed by this act, including the maintenance of a laboratory, and the employment of necessary chemists, bacteriologists, servants, and agents such sum as may be appropriated by the legislature for their use. The State board shall audit all bills made out in due form and verified by the members and employees

or agents rendering service or incurring expense or traveling in the performance of the duties of their office or employments. Such bills when approved by the governor shall be paid out of the State treasury.

SEC. 19. If a person knowingly sell or expose for sale any diseased, corrupted, or unwholesome drugs or provisions, whether food or drink, without making the same known to the buyer, he shall be confined in jail not more than six months and fined not exceeding \$100.

SEC. 19a. Whenever the State board of health has reason to believe that any food, drink, or drug sold or offered for sale is diseased, corrupted, unwholesome, or adulterated, it shall take or cause to be taken by its authorized agent, a specimen thereof and test or analyze the same. And if the result of such test or analysis in the case prove that the said food, drink, or drug is diseased, corrupted, unwholesome, or adulterated, the same shall be prima facie evidence of such fact in prosecutions under this act. If the board, deeming it necessary, shall cause such food, drink, or drug to be analyzed, the result of such analysis shall be recorded and kept in evidence, and a certificate of such results, sworn to by the person making the analysis, who shall also state under oath in his certificate that he was the first thereunto duly authorized by the State board of health, and state also the reasonable cost of such analysis, shall be admissible in evidence in prosecution under this act. The expense of such analysis, not exceeding \$15 in any one case, shall be included in the cost of such prosecutions and taxed in favor of said board of health.

SEC. 21a. There is hereby appropriated from any moneys in the State treasury not otherwise appropriated the sum of \$15,000 annually for the use of the State board of health in carrying out the provisions of the chapter.

SEC. 21b. All acts and parts of acts, inconsistent with this act, are hereby repealed.

Common Drinking Cups—Prohibited in Public Places. (Act Feb. 22, 1913.)

SECTION 1. That the use of the common drinking cup, an undoubted source of communication of infectious diseases, is hereby prohibited in all public places, upon all railroad trains and boats carrying passengers, in all public buildings of every description, and at public drinking springs and fountains within this State. The State board of health shall have full authority to establish rules and regulations to make this prohibition effective, as in their judgment may seem wise and proper.

SEC. 2. All persons, firms, or corporations failing to observe the provisions of this act, or the rules and regulations of the State board of health made in relation thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$10 nor more than \$50 for each offense.

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Communicable Diseases—Notification of Cases of and Fatalities from. (Chap. 226, Act May 13, 1913.)

SEC. 2. Section 1416-2 of the statutes is amended to read:

"SEC. 1416-2. It shall be the duty of every physician to report forthwith in writing to the said department of health the death of any person who dies from, or while suffering with or from any infectious or contagious disease, and to state in such report the specific name and type of such disease, and in the absence of an attending physician it shall be the duty of every keeper of any boarding house or lodging house and the proprietor of every lodging house or hotel to report forthwith to the department of health all known facts in regard to any person who died in any such house or hotel under his charge suffering from any of the following infectious or contagious diseases: Measles, diphtheria (membranous croup), scarlet fever (scarlatina), typhoid fever, tuberculosis, smallpox, chicken-pox, Asiatic cholera, typhus fever, rubella (rotheln), plague, whooping cough, erysipelas, cerebrospinal meningitis, acute anterior poliomyelitis, and ophthalmia neonatorum, within 24 hours after the death of such person."

SEC. 3. Section 1416-3 of the statutes is amended to read:

"SEC. 1416-3. It shall be the duty of every person having knowledge of the existence of any person afflicted with any one of the following infectious or contagious diseases, to wit, measles, diphtheria (membranous croup), scarlet fever (scarlatina), typhoid fever, tuberculosis, smallpox, Asiatic cholera, typhus fever, rubella (rotheln), plague, whooping cough, yellow fever, cerebrospinal meningitis, chicken-pox, erysipelas, acute anterior poliomyelitis, and ophthalmia neonatorum, or has reason to believe that any person is so afflicted, to at once report to the health department of such town, incorporated village, or city all facts in regard to the case, and no person shall interfere with or obstruct the entrance, inspection, or examination of any building or house, or the occupants thereof, by the health officer, commissioner of health, or his assistants, of such town, incorporated village, or city, or any officers of such department, when investigating a reported case of one of the infectious or contagious diseases above specified, as existing in such house or dwelling, nor shall any person interfere with or obstruct, mutilate, or tear down any notices of such department posted in or on any premises within such municipality."

Communicable Diseases—Notification of Cases of. (Chap. 516, Act June 21, 1913.)

SECTION 1. Section 1416-1 of the statutes is amended to read:

"SEC. 1416-1. It shall be the duty of every physician to report to the department of health in every town, incorporated village, or city, in writing, the full name, age, and address of every person suffering from any one of the infectious or contagious diseases following, to wit: Measles, smallpox, diphtheria (membranous croup), scarlet fever (scarlatina), typhoid fever, tuberculosis (of any organ), rubella (rotheln), chicken pox, typhus fever, plague, erysipelas, Asiatic cholera, whooping cough, cerebrospinal meningitis, yellow fever, acute anterior poliomyelitis, and ophthalmia neonatorum; and it shall be the duty of every person, owner, agent, manager, principal, or superintendent of any public or

private institution or dispensary, hotel, boarding or lodging house, in any such town, incorporated village, or city, to make a report, in like manner and form, of any inmate, occupant, or boarder suffering from any of the said infectious or contagious diseases. It shall also be the duty of every physician to report by number all cases of syphilis and gonorrhea occurring in his practice to the State board of health at such time and in such manner as the State board of health may direct."

Communicable Diseases—Morbidity Reports—Quarantine—Disinfection. (Reg. Bd. of H., Oct. 9, 1913.)

List of dangerous contagious diseases.—In conformity to the requirements of the law relating to its duties and powers, the State Board of Health of Wisconsin hereby publishes and declares the following as "dangerous and contagious diseases":

Asiatic cholera (cholerae), yellow fever, smallpox, typhus fever, leprosy, bubonic plague, diphtheria (for all sanitary purposes membranous croup must be considered and treated as diphtheria), scarlet fever (scarlatina), typhoid fever, measles (including r  theln), whooping cough, cerebrospinal meningitis, acute anterior poliomyelitis, ophthalmia neonatorum, gonorrhea, and syphilis. (All cases of gonorrhea and syphilis are to be reported direct to the State board of health, as provided by chapter 516, Laws of 1913.¹)

The State board of health does hereby adopt and publish the following rules to be of general application throughout the State:

RULE 1. Exclusion from school, etc.—No person suffering from Asiatic cholera (cholerae), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), scarlet fever (scarlatina), measles (including r  theln), whooping cough, cerebrospinal meningitis, or acute anterior poliomyelitis shall be admitted into any public, parochial, or private school, college, or Sunday school, or shall enter any assemblage, or railway car, street car, vessel or steamer, or other public conveyance. (Also see rule 17² which prohibits the attendance at school of children who have chicken pox or mumps.)

RULE 2. Disease in family.—No person shall be admitted to any public, parochial, or private school or college, or Sunday school, from any family in which Asiatic cholera (cholerae), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), scarlet fever (scarlatina), measles (including r  theln), cerebrospinal meningitis, or acute anterior poliomyelitis exists.

RULE 3. Duty of parents.—No parent, guardian, or other person having charge or control of any child or children shall allow or permit such child or children to go to school from any family in which a case of Asiatic cholera (cholerae), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), scarlet fever (scarlatina), measles, cerebrospinal meningitis or acute anterior poliomyelitis has recently occurred without a permit from the board of health or its proper officer. (Also see rule 17.²)

RULE 4. Physicians to report.—It shall be the duty of every physician called to attend a person sick, or supposed to be sick, with any of the diseases declared to be dangerous and contagious diseases by the State board of health, within 24 hours thereafter to report, in writing, the name and residence of such person to the board of health, or its proper officer, within whose jurisdiction such person is found; and where a person is taken sick with any of the aforesaid-named diseases as are declared dangerous and contagious by the State board of health, and a physician is not called, it shall in like manner be the duty of the owner or agent of the building in which such person resides, lives, or is staying, or of the head of the family in which such disease occurs, to report, in writing, the name and residence of the patient to the local board of health or its proper officer.

¹ Page 493.

² Page 502.

RULE 5. Quarantine.—It shall be the duty of the health officer of every local board of health in this State, when a case of Asiatic cholera (cholera), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), scarlet fever (scarlatina), cerebrospinal meningitis or acute anterior poliomyelitis is reported within his jurisdiction to at once quarantine the house, tenement room, or other building as provided by section 1416-15 of the statutes (chap. 444, Laws of 1913 ¹).

And it shall be the duty of said health officer to report immediately by telegram or letter to the secretary of the State board of health an outbreak of Asiatic cholera (cholera), yellow fever, smallpox, scarlet fever (scarlatina), typhoid fever, cerebrospinal meningitis, diphtheria (membranous croup), measles, whooping cough, tuberculosis, acute anterior poliomyelitis or ophthalmia neonatorum, and to report from week to week thereafter, on blanks furnished for the purpose, until such disease shall cease to exist.

RULE 6. Care in preventing spread.—Every physician attending a person affected with any of the aforesaid named diseases shall use every possible precaution to prevent communication of the disease to others. To this end the board recommends that a cap and gown or some other sufficient cover for the clothing be worn by physicians while in the presence of dangerous contagious diseases. The face and hands should be washed with soap and water or some disinfecting solution after caring for a patient afflicted with a dangerous, contagious, or communicable disease.

RULE 7. Disinfection.—Any house or building, and its contents, in which a case of Asiatic cholera (cholera), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), scarlet fever (scarlatina), cerebrospinal meningitis, tuberculosis, and acute anterior poliomyelitis has occurred shall be fumigated and disinfected under the supervision of the board of health, or its proper officer, in the manner recommended by the State board of health. Disinfection without fumigation shall be required where a case of ophthalmia neonatorum, measles, or whooping cough has occurred.

Disinfection is defined to be the washing of all woodwork, doors, casings, and other articles which may be infected, with a proper solution of bichloride of mercury, carbolic acid, corrosive sublimate, formaldehyde, or other approved disinfectant containing the phenol coefficient as determined by the Marine Hospital laboratory. (The material used for disinfection can be left at the home by the health officer with instructions for properly doing the work.)

Fumigation is defined to be the liberation in the room of formaldehyde gas in sufficient quantities and under proper conditions to accomplish satisfactory aerial disinfection. This work must always be done by the health officer or some competent person employed by the board of health for that purpose. For fumigating, liberate in the room, by means of a generator, a 40 per cent solution of formaldehyde, using not less than 10 ounces of formaldehyde for every 1,000 cubic feet of air space; or place in a large deep vessel 6½ ounces of permanganate of potash, to which add 1 pint of a 40 per cent solution of formaldehyde. Use the permanganate and formaldehyde in the proportions stated for every 1,000 cubic feet of air space.

Sulphur and solidified formaldehyde are not to be used for disinfecting purposes after death or recovery from any dangerous or contagious disease without the indorsement and approval of the State board of health.

All rooms to be fumigated must contain plenty of moisture and be heated to a temperature above 72° F. When the material for fumigating is placed in the room all openings should be closed or covered with strips of paper saturated with a strong disinfecting solution and the room left closed for from 4 to 6 hours, after which all windows and doors should be opened to allow the free circulation of air. Follow the fumigating with a thorough cleaning of the premises, wash all woodwork, doors, floors, casings, etc., with an acid solution of bichloride of mercury, 2 drams (one-

fourth ounce) to a gallon of water, or 6 ounces of carbolic acid to a gallon of water. This cleansing process is as important as fumigation.

All persons sick with typhoid fever should be kept isolated and screened from flies as much as possible, and no one should be allowed to visit the sick room except the immediate attendants. All excreta leaving the patient in the discharges from the bowels, kidneys, throat, or nose must be disinfected at once, using 2 drams (one-fourth ounce) of bichloride of mercury to 1 gallon of water, or 6 ounces of carbolic acid to the gallon of water, or the milk of lime (water from freshly slaked lime), using 6 parts of water to 10 parts of lime. The material to be disinfected should remain standing in vessel with disinfecting solution some hours before emptying. Flies should never be allowed to come in contact with excreta of any kind.

The clothing, bed linen, and any materials which have in any way come in contact with the patient must be thoroughly disinfected, either by boiling, fumigating, or immersing in a solution consisting of 2 drams (one-fourth ounce) of bichloride of mercury or 6 ounces of carbolic acid to a gallon of water.

The sale or use of milk or dairy products from a place where one of the quarantinable diseases is present, or where typhoid fever is present, is strictly forbidden unless the milk is handled, cans and pails washed, and stock cared for by persons entirely dissociated with the afflicted family.

RULE 8. Duration of quarantine.—The isolation of patients and duration of quarantine in dangerous contagious diseases shall be as follows:

Asiatic cholera (cholerae), yellow fever.—For the patient: Quarantine until after complete recovery, and disinfection of the premises.

For the exposed person: Quarantine for five days from the date of last exposure.

Smallpox.—For the patient: Quarantine until after all crusts or scales have fallen off or been removed, and the disinfection of the patient and premises.

For exposed persons: Quarantine for 14 days from date of last exposure, unless successfully vaccinated or protected by a previous attack of the disease, and person and clothing disinfected.

Typhus fever.—For the patient: Quarantine until after complete recovery and disinfection of the premises.

For exposed persons: Quarantine for 21 days from date of last exposure.

Bubonic plague.—For the patient: Quarantine until after recovery, and disinfection of the premises.

For exposed persons: Quarantine for eight days from date of last exposure.

Diphtheria.—For the patient: Quarantine for 14 days after the beginning of the disease.

For persons associated with or in the family with the patient: Quarantine until after death or recovery of the patient, and disinfection of the person, clothing, and premises. Every person convalescent from diphtheria must remain isolated until two successive cultures from the throat, made three days apart, show the absence of diphtheria bacilli.

Scarlet fever (scarlatina).—Quarantine of the patient for at least 21 days from the beginning of the disease and as much longer as the severity of the case may demand, that is, until complete desquamation or scaling of the skin of the patient and disinfection of the patient and premises. Quarantine of all adults living in the family with or in any way exposed to the patient while the house remains quarantined, unless said adults submit to thorough disinfection of their person and clothing and take up their residence in some other building during the time that said quarantine is maintained. Children in a family associated with a case of scarlet fever may be removed to a separate building after disinfection of their person and clothing and must be kept in isolation for a period of 10 days or until the symptoms of scarlet fever develop.

When a patient suffering from scarlet fever is removed to an isolation hospital, the premises from which such patient is taken must be thoroughly disinfected, and all

children in the same household must be kept in isolation for a period of 10 days from the date on which the afflicted patient was removed from the home.

Isolation of patient and children associated with the patient for 10 days after the removal of quarantine and disinfection of premises. Children convalescing from scarlet fever must not attend school for at least six weeks from the beginning of the disease. Children who have been associated with the patient suffering from scarlet fever shall not attend school for 10 days after disinfection of premises and removal of quarantine in quarantined home.

Cerebrospinal meningitis.—For the patient: Isolation from the rest of the family and quarantine for at least 14 days after the first appearance of the disease.

Persons living in a house where the disease is present must be quarantined for at least 14 days and until patient and premises have been properly fumigated and disinfected.

Anterior poliomyelitis.—It shall be the duty of the health officer of every board of health in this State, where a case of anterior poliomyelitis is found to exist, or supposed to exist, to establish and maintain quarantine for at least three weeks from the beginning of the disease and until patient and premises have been thoroughly fumigated and disinfected as provided for in section 1416-17¹ of the statutes. (The room or bed and all excreta from the patient should be carefully screened from flies. Flies carry the contagion.)

RULE 9. Burial of bodies.—The bodies of persons who have died of Asiatic cholera (cholerae), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), scarlet fever (scarlatina), epidemic cerebrospinal meningitis or acute anterior poliomyelitis shall be wrapped in a sheet saturated with a solution of bichloride of mercury (1 ounce to a gallon of water) or some other efficacious disinfectant and shall be buried or incinerated within 36 hours after death. The removal of bodies for burial or incineration from place of death of those who have died of Asiatic cholera (cholerae), yellow fever, smallpox, or bubonic plague shall take place between the hours of 9 p. m. and 5 a. m.

RULE 10. Public funerals.—No public or church funeral shall be held in connection with the burial of a person who has died of Asiatic cholera (cholerae), bubonic plague, smallpox, yellow fever, typhus fever, diphtheria (membranous croup), scarlet fever (scarlatina), measles, epidemic cerebrospinal meningitis or acute anterior poliomyelitis, nor shall bodies of such persons be taken into any church, chapel, or other public place.

RULE 11. School and library books.—School books or books from public or circulating libraries shall not be taken into any house where Asiatic cholera (cholerae), bubonic plague, smallpox, typhus fever, diphtheria (membranous croup), scarlet fever (scarlatina), measles, typhoid fever, pulmonary tuberculosis, epidemic cerebrospinal meningitis or acute anterior poliomyelitis exists, and if school books or library books have already been taken into such house they should be destroyed by the owner or library authorities.

RULE 12. Tuberculosis in schools.—No person suffering from pulmonary tuberculosis or believed to be suffering from pulmonary tuberculosis, when reported to the health officer as provided for in section 1416-3² and 1416-4 of the laws of 1907, shall be permitted to attend or frequent public parochial or private schools, except open-air schools especially equipped for such pupils in this State in the capacity of pupil or teacher until the health officer or one of his deputies of the township, incorporated village or city, where the school is located, furnishes a written certificate stating that the individual believed to have pulmonary tuberculosis or suspected of having pulmonary tuberculosis is free from the disease. (Section 1416-3, Laws of 1907.¹)

¹ Page 499.

² Page 493.

RULE 13. Milk and dairy products.—The sale or use of milk or dairy products from a place where Asiatic cholera, smallpox, typhus fever, bubonic plague, diphtheria, scarlet fever, epidemic cerebrospinal meningitis, acute anterior poliomyelitis or typhoid fever is found to exist is strictly forbidden unless the milk is handled, milk utensils washed, and stock cared for and product transported by persons entirely disassociated with the quarantined family.

RULE 14. Infantile blindness.—Any physician, midwife, nurse, or other person in attendance on a confinement case, shall, within two hours after the birth of a child, use one of the following prophylactic treatments for the prevention of infantile blindness or ophthalmia neonatorum.

1. Two drops of a 1 per cent fresh solution of nitrate of silver to be dropped in each eye after the eyelids have been opened.

2. Two drops of a 25 per cent solution of argyrol or two drops of a 5 per cent solution of protorgal should be dropped in each eye in the same manner as when silver nitrate is used. (Nitrate of silver is to be preferred in all cases. When argyrol or protorgal are used the solution must be absolutely fresh.)

Quarantinable diseases.—Asiatic cholera (cholerae), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria, scarlet fever (scarlatina), cerebrospinal meningitis and acute anterior poliomyelitis.

Diseases which must be placarded but not quarantined.—Typhoid fever, measles, including r  theln, and whooping cough.

Reportable diseases which should not be quarantined or placarded.—Tuberculosis, chicken-pox, mumps, ophthalmia neonatorum, gonorrhea, and syphilis.

Quarantine of Communicable Diseases. (Chap. 444, Act June 9, 1913.)

SECTION 1. Sections 1416–15 and 1416–17 of the statutes are amended to read:

“**SEC. 1416–15.** Whenever a health officer shall know, suspect, or be informed of the existence of any communicable disease, dangerous to the public health, it shall be the duty of such health officer, or deputy, to at once examine such case, or cases of alleged communicable disease, dangerous to the public health. The health officer having jurisdiction, upon being notified or having knowledge of the existence of any disease which has been designated by the State board of health in its rules and regulations to be quarantinable, shall immediately in person or by deputy quarantine the infected house, rooms, or premises so as effectually to quarantine the case or cases and the family, if necessary, in such manner and for such time as the State board of health in its rules shall determine necessary to prevent transmission of the disease. Whenever a house, tenement room, or other building is placed in quarantine, a placard shall be posted in a conspicuous position on such building, giving the name of the disease for which quarantine is established, or the word ‘quarantine’ in letters not less than 2 inches long. Such placard shall contain the following quarantine notice: ‘All persons are forbidden to enter or leave these premises without a special written permit from the health officer having jurisdiction and all persons are forbidden to remove, obscure, or mutilate this card or to interfere in any way with this quarantine without written orders from said health officer, under penalty of a fine or imprisonment as provided in section 4608 of the statutes.’ The local board of health shall employ as many persons as are necessary to execute its orders; properly guard any house or place containing any person or persons affected with a quarantinable disease, or who have been exposed thereto, if quarantine is violated or intent to violate quarantine is manifested. Such persons shall be sworn in as quarantine guards, shall have police powers, and may use all necessary means to enforce the State laws for the prevention and control of contagious or infectious diseases or the orders, rules, and regulations of any board of health made in pursuance thereof.

"**Sec. 1416-17.** The expenses for necessary nurses, medical attention, food, and other articles needed for the comfort of the afflicted person or persons shall be a charge to the person so taken care of, or against any other person who may be liable for his support. Indigent cases shall be cared for at public expense upon the order of the local board of health. The expense of maintaining quarantine and disinfection of persons and premises after death or recovery shall be paid by the city, incorporated village, or town upon the order of the local board of health. When a person with a contagious disease, quarantined in any township, incorporated village, or city is a legal resident of another township, incorporated village, or city of this State the expense for necessary nurses, medical attention, food, and other articles needed for the health and comfort of the afflicted person, if such person is indigent, shall be paid by the township, incorporated village, or city where such person is a legal resident, or by the county where the county system for the care of the poor has been adopted: *Provided*, That a sworn statement of such expense is sent to the proper town or county officers within 30 days after the quarantine in such case is removed. In all cases the disinfecting and cleansing, so as to effectually destroy the contagion, shall be done before quarantine is removed. The disinfecting and cleansing shall be carried out according to methods indorsed and recommended by the State board of health."

Ophthalmia Neonatorum—Prevention of. (Reg. Bd. of H., Jan. 29, 1913.)

RULE 16. Infantile blindness.—Any physician, midwife, nurse, or other person in attendance on a confinement case shall, within two hours after the birth of the child, use one of the following prophylactic treatments for the prevention of infantile blindness or ophthalmia neonatorum:

1. Two drops of a 1 per cent fresh solution of nitrate of silver, to be dropped in each eye after the eyelids have been opened.
2. Two drops of a 25 per cent solution of argyrol or two drops of a 5 per cent solution of protargol should be dropped in each eye in the same manner as when silver nitrate is used.

Ophthalmia Neonatorum—Prevention of, and Notification of Cases. (Chap. 344, Act May 29, 1913.)

SECTION 1. Sections 1409a-1 and 1409a-2 of the statutes are repealed.

SEC. 2. There are added to the statutes three new sections, to read:

"**SEC. 1409a-1.** For the prevention of ophthalmia neonatorum, or blindness in the new-born babe, the State board of health and vital statistics shall, annually, cause to be prepared and put up in proper containers a 1 per cent solution of nitrate of silver, and shall also prepare instructions for its use. Said containers and instructions shall be distributed by said board, free of all charges, to all local health officers within the State in quantities sufficient to enable them to, and they shall, deliver to each physician and midwife one container and one copy of the instructions. It shall be the duty of the attending physician or midwife in each confinement case to use the said solution as directed in said instructions.

"**SEC. 1409a-2. 1.** In any confinement case not attended by a physician or midwife, if one or both eyes of an infant become inflamed, swollen, and red, and show an unnatural discharge at any time within two weeks after its birth, the nurse, parents, or other attendant having charge of such infant shall report in writing, within six hours thereafter, to the health officer of the city, village, or town in which the parents of the infant reside, the fact that such inflammation, swelling, redness, or unnatural discharge exists.

"2. On receipt of such report the health officer shall immediately give to the parents or person having charge of said infant a warning of the dangers to the eye, or eyes, of said infant and a copy of the instructions prepared pursuant to section 1409a-1 of the statutes; and shall employ at the expense of the said city, village, or town a competent physician to examine the case reported and to provide such treatment as may be prescribed by the State board of health and vital statistics in its instructions.

"SEC. 172-27. 1. There is annually appropriated on July 1, \$1,500, payable from any moneys in the general fund not otherwise appropriated, for the State board of health and vital statistics to carry out the provisions of section 1409a-1."

Tuberculosis and Other Diseases—Disposal of Sputum. (Chap. 308, Act May 28, 1913.)

SECTION 1. Section 1416-6 of the statutes is amended to read:

"SEC. 1416-6. 1. It shall be the duty of every person afflicted with tuberculosis of the lungs or larynx, or any other disease whose virus or infecting agent is contained in the sputum, saliva, or other infectious secretions, to provide himself with a sputum flask or receptacle in which to deposit his sputum, saliva, or other infectious secretion, and the contents of said flask or receptacle shall be burned or otherwise thoroughly disinfected.

"2. If any person afflicted with tuberculosis, as shown by the examinations made in the State laboratory of hygiene, fails or neglects to obey or comply with any of the provisions of this section, or of the rules adopted and published by the State board of health for the suppression and control of tuberculosis, such person may be committed to any county hospital for the care of persons suffering from tuberculosis or to any other place or institution where proper care will be provided and where the necessary precautions will be taken to prevent any unnecessary spread of tuberculosis, by any judge of a court of record upon due proof that such person has violated said law or said rules and regulations of said board of health. Complaint that said laws or the rules and regulations of said State board of health have been violated may be made by any health officer or any resident of any city, town, or village in which any such person shall have violated said law or said rules and regulations, and when such complaint shall have been so made, it shall be the duty of the judge of said court to notify the person who, it is alleged, has so violated said law or said rules and regulations, that such complaint has been made. If, upon the hearing, it has been found that such person has so violated said law or said rules and regulations, the court may then make the order for commitment of such person in the manner provided in this section. The court may also make such order for the payment for care and treatment as may be proper.

"3. After commitment, such person may be discharged by said court at any time when the court thinks it proper to do so. Any person so committed to such hospital or institution who fails to remain there, or who neglects or refuses to obey the rules and regulations of that institution, may, in the judgment of the superintendent, be isolated or separated from other persons and restrained from leaving the hospital or other institution."

Tuberculosis—County Institutions for Care of Tuberculous Patients Authorized. (Chap. 328, Act May 29, 1913.)

SECTION 1. Subsection 1 of section 1421-9, subsection 2 of section 1421-11, and subsection 2 of section 1421-14 of the statutes are amended to read:

"SEC. 1421-9. 1. The county board of supervisors of any county may, with the consent of the State board of control, purchase a site and establish or pro-

vide a building or shack for the treatment of persons suffering from tuberculosis in the advanced or secondary stages. No building or shack shall be so constructed until after the site has been approved by the State board of control.

"SEC. 1421-11. 2. Such trustees shall serve without compensation, except that they shall receive their actual expenses in the performance of their duties. The trustees shall appoint in all counties, except those counties having a population of over 300,000, as superintendent of such institution a graduate trained nurse and also a visiting physician for such institution and fix their compensation. In counties having a population of more than 300,000 the trustees shall appoint a medical superintendent and fix his compensation. The trustees shall designate the number of employees of such institution and fix the compensation of such employees. The employees shall be selected by the superintendent, subject to the confirmation of the board of trustees.

"SEC. 1421-14. 2. Whenever any such institution is completed, according to the plans and specifications approved by the State board of control, such board shall cause a certificate of that fact, signed by the president and secretary thereof, to be filed with the secretary of state, and thereafter any county which shall create such an institution shall receive from the State for each person cared for at public expense such amounts as are provided for by law."

SEC. 2. Subsection 4 of section 1421-14 of the statutes is repealed.

SEC. 3. There is added to the statutes a new section to read:

"SEC. 172-120. The amount contributed as State aid for tuberculosis in the advanced or secondary stages in county institutions to carry into effect the provisions of section 1421-14 shall not exceed \$50,000 annually, and such aid shall be apportioned among the various county institutions in proportion to the number of patients in each institution during the year ending on the 30th day of June: *Provided*, That there shall not be allowed more than \$5 a week per patient for the number of weeks such patients shall be a resident of such institution."

Tuberculosis—Care of Insane Patients. (Chap. 227, Act May 13, 1913.)

SECTION 1. There is added to the statutes a new section to read:

"SEC. 587d. The State board of control of Wisconsin is hereby authorized to make provision for the segregation, care, and treatment of tubercular-insane patients in the State and northern hospitals for the insane, and for that purpose said board is authorized to set apart one ward for male patients and one ward for female patients, in the hospitals for the insane, and to properly equip said wards for the care and treatment of such patients. Said board is authorized to transfer from any other parts of the said institutions any tubercular patients who are liable to spread the disease or whose association with other patients is dangerous to them."

Tuberculosis—State Camp and Farm for Treatment of Convalescents. (Chap. 679, Act July 31, 1913.)

SECTION 1. There is added to the statutes a new section and a new subsection to read:

"SEC. 1421-30. 1. The State board of control of Wisconsin is hereby authorized to establish and operate a camp and farm in the forest reserves in which persons who are threatened with or who are recovering from tuberculosis may be received and cared for, and the State board of forestry is authorized to cooperate with and aid said State board of control of Wisconsin in the erection of a camp or camps on any State forest reserve lands appropriate therefor which may be designated by said board.

"2. Any tuberculosis camp established on any State lands under this section shall, under necessary and proper regulations made as hereafter provided, be open to any person threatened with or who is recovering from tuberculosis, the charge for the care and maintenance of any such person not to exceed \$3.50 per week.

"8. The State board of forestry shall cooperate with the State board of control of Wisconsin in the employment of persons received into said camp and shall, so far as practicable, engage any such persons to do necessary work within the State forest reserve, and the college of agriculture is authorized to instruct and aid the patients in said camp in farming and gardening.

"4. The State board of control of Wisconsin shall formulate rules and regulations for admission to and for the administration of such camp not inconsistent with this section.

"SEC. 172-87. 52. There is annually appropriated on July 1 \$10,000, payable from any moneys in the general fund not otherwise appropriated, to the board of control for the establishment and maintenance of the camp and farm for tuberculosis patients as provided in section 1421-30."

Visiting Nurses—Counties Authorized to Employ. (Chap. 93, Act Apr. 24, 1913.)

SECTION 1. There is added to the statutes a new section, to read:

"SEC. 697-10m. The board of supervisors of any county is authorized and empowered to employ a graduate trained nurse, whose duties shall be as follows: To act as a consulting expert on hygiene for all schools not already having medical inspection, either by physician or visiting nurse, to assist the superintendents of the poor in their care of the poor in the county who are in need of her services; to give instruction to tuberculosis patients and others relative to hygienic measures to be observed in preventing the spread of tuberculosis; to aid in making a report of existing cases of tuberculosis; to act as visiting nurse throughout the county and to perform such other duties as a nurse and hygienic expert as may be assigned to her by the county board. Such visiting nurse shall at the end of each month make a report in writing to the county clerk, which report shall show the visits made during the month then ending and the requests made to her for services, and such other information as the county board may from time to time require."

Visiting Nurses—Cities Authorized to Employ. (Chap. 194, Act May 9, 1913.)

SECTION 1. There is added to the statutes a new section, to read:

"SEC. 1416-13a. The common council of any city, whether incorporated under general or special charter, shall have power to employ obstetrical and visiting nurses."

Schools—Control of Communicable Diseases in—Sanitation of. (Reg. Bd. of H., Jan. 29, 1913.)

Under the authority granted by section 1408 of the statutes, authorizing the State board of health to adopt and enforce rules for the proper sanitary care of schoolhouses and the premises connected therewith, the State board of health hereby publishes and declares the following rules to be of general application throughout the State:

RULE 17. All teachers, school authorities, and health officers having jurisdiction shall not permit the attendance in any private, parochial, or public school of any pupil afflicted with a severe cough, a severe cold, itch, lice or other vermin, or any contagious skin disease, or who is filthy in body or

clothing, or who has any of the following dangerous contagious or infectious diseases, to wit: Diphtheria, smallpox, scarlet fever, measles, whooping cough, chicken-pox, mumps, pulmonary tuberculosis, Asiatic cholera (cholerae), yellow fever, typhus fever, bubonic plague, cerebrospinal meningitis, or acute anterior poliomyelitis. The teachers in all schools shall, without delay, send home any pupil who is obviously sick, even if the ailment is unknown, and said teacher shall inform the parents or guardians of said pupil, and also the local health officer, as speedily as possible, and said health officer shall examine into the case and take such action as is reasonable and necessary for the benefit of the pupils and to prevent the spread of infection.

RULE 18. Parents, guardians, or other persons having control of any child who is sick in any way or who is afflicted with any disease listed in rule 17 shall not permit said child to attend any public, private, or parochial school or to be present in any public place.

RULE 19. School teachers, pupils, or other persons shall not be admitted to any public, private, or parochial school who have come from or who reside in any house or building which harbors or is infested with any disease listed in rule 17, or who have recently been afflicted with such diseases, unless they have the written permission of the local health officer having jurisdiction.

RULE 20. Schoolhouses shall have in each classroom at least 15 square feet of floor space, and not less than 200 cubic feet of air space per pupil, and shall provide for an approved system of indirect heating and ventilation by means of which each classroom shall be supplied with fresh air at the rate of not less than 30 cubic feet per minute for each pupil and warmed to maintain an average temperature of 70° F. during the coldest weather.

RULE 21. Local health officers having jurisdiction shall dismiss forthwith any schoolroom in which at least 200 cubic feet of air space is not supplied to each pupil. The school authorities shall, without delay, make provisions for the pupils in accordance with the requirements stated in rule 20.

RULE 22. Proper ventilation must be provided in all schoolrooms, and when ventilation ducts do not exist, or are inadequate, it shall be the duty of the teacher to flood the schoolroom with fresh air by opening windows and doors at recess and noontime and also whenever the air becomes close and foul. Pupils should be given gymnastic exercises during the time the windows are open in cold weather. When windows are the only means of ventilation they should be so constructed as to admit of ready adjustment both at the top and bottom, and some device shall be provided to protect the pupils from currents of cold air. The top of the windows shall be as near the ceiling as the mechanical construction of the building will allow.

RULE 23. It shall be unlawful for any school board, board of school directors, board of education, or other school officials in Wisconsin to use a common heating stove for the purpose of heating any schoolroom unless each such stove shall be in part inclosed within a shield or jacket made of galvanized iron or other suitable material, and of such height and so placed as to protect all pupils while seated at their desks from direct rays of heat.

RULE 24. Light shall be admitted from the left or from the left and rear of classrooms. The glass area of windows shall equal at least one-fifth of the floor area of the schoolroom, and no pupil shall be farther removed from the principal source of light than 25 feet.

RULE 25. All floors must be thoroughly swept or cleaned by a vacuum cleaner each day, either after the close of school or in the afternoon, or one hour before the opening of school in the morning. Before sweeping is started the floors must be sprinkled with water, moist sawdust, or other substance so as to prevent the raising of dust.

RULE 26. All schoolhouses must be supplied with pure drinking water. If the drinking water is obtained from wells, satisfactory troughs and drains must be provided so as to carry away the waste water and prevent the creation of mudholes near the opening of the well. When water is not supplied at the pump, from water faucets, or from sanitary flowing drinking fountains, covered tanks or covered coolers, with free-flowing faucets, must be supplied. All drinking fountains should be constructed of smooth glass or pressed metal.

RULE 27. Water-closets, dry closets, and outhouses shall be kept clean and sanitary at all times. Water-closets and dry closets, when provided, shall be efficient in every particular, and when said closets are not provided, then good fly-tight, well-ventilated outhouses for both sexes, separated by closely built fences, shall be provided. Good dry walks shall lead to all outhouses, and closely built screens or shields shall be built in front of them. Outhouses for males shall have urinals arranged with stalls and with conduits of galvanized iron or other impervious material draining into a sewer, vault, or other suitable place.

RULE 28. Health officers shall enforce these rules and promptly enter prosecution for any violation thereof.

Prevention of Disease—Money from Liquor Licenses May be Used For, in Cities, Villages, and Counties. (Chap. 460, Act June 17, 1913.)

SECTION 1. Section 1562 of the statutes is amended to read:

"SEC. 1562. All moneys derived from such licenses shall be kept separate from other moneys by the town, city, and village treasurers and be applied solely to defraying the expense of supporting the poor and, if ordered by the city council, village board, or town board, for the prevention of disease and of the spread of disease and for public health administration in the city, town, or village which granted the license so far as is necessary for that purpose: *Provided*, That such city, town, or village supports its own poor. If any village does not under its charter provide for the support of the poor therein and the town in which such village is situated does support the poor therein all such moneys received by the village treasurer shall be paid to the treasurer of such town: *And provided further*, That in counties where the county system of supporting the poor shall have been adopted such moneys shall be paid by the town, village, or city treasurers receiving the same, unless the supervisors, trustees, or common council thereof shall have, by ordinance or resolution, authorized a different way of disposing thereof (which they may do), into the county treasury semiannually and shall be applied so far as is necessary to defraying the expense of supporting the poor of the county and such portion as shall be ordered by the county board for the prevention of disease and of the spread of disease and for public health administration."

Marriage—Certificate of Health Required. (Chap. 738, Act Aug. 2, 1913.)

SECTION 1. There is added to the statutes a new section to read:

"SEC. 2339*m*. 1. All male persons making application for license to marry shall, at any time within 15 days prior to such application, be examined as to the existence or nonexistence in such person of any venereal disease, and it shall be unlawful for the county clerk of any county to issue a license to marry to any person who fails to present and file with such county clerk a certificate setting forth that such person is free from acquired venereal diseases so nearly as can be determined by physical examination and by the application of the recognized clinical and laboratory tests of scientific search. Such certificate shall be made by a licensed physician, shall be filed with the application for license to marry, and shall read as follows, to wit:

"I (name of physician), being a legally licensed physician, do certify that I have this ---- day of -----, 19--, carefully and thoroughly examined

(name of person), having applied the recognized clinical and laboratory tests of scientific search, and find him to be free from all venereal diseases so nearly as can be determined.

“-----,
“(Signature of physician)”

“2. Such examiners shall be physicians duly licensed to practice in this State, shall be persons of good moral character and of scientific attainments and at least 30 years of age. The fee for such examination, to be paid by the applicant for examination before the certificate shall be granted, shall not exceed \$3. The county physician of any county shall, upon request, make the necessary examination and issue such certificate, if the same can properly be issued, without charge to the applicant, if said applicant be indigent.

“3. Whenever there is a dispute or disagreement regarding the findings of any medical examiner, laboratory tests shall be made in the State laboratory of hygiene from material submitted by such examiner, and the findings of the said laboratory shall be accepted as evidence of the presence or absence in the person examined of any venereal disease.

“4. In any case wherein the certificate of health required by subsection 1 of this section shall be refused and the applicant shall make and file with the county clerk of the proper county an affidavit setting forth the fact that such applicant has not had a fair and impartial examination and that he is entitled to such certificate of health, it shall be the duty of such county clerk to certify such proceedings at once to the county court of such county without formality or expense to such applicant. Such application shall be heard by a judge of said court at the earliest time practicable, without a jury in court or in chambers, during the term or in vacation, as the case may be. Notice of the time and place of such hearing shall be given to such applicant by mail. A certified copy of an order of such judge upon his findings in such matter determining that such applicant is entitled to such certificate of health presented and filed with such county clerk, shall have the same force and effect as such certificate, and such county clerk shall thereupon issue a license to marry to such applicant.

“5. Any person, a resident of this State, who, with intent to evade the provisions of this act, shall go into another State and there have a marriage solemnized, and who within one year from date of such marriage shall return and reside in this State, shall, upon information or knowledge to the district attorney of any county, be required by him to file with the county clerk of any county in which such person may be then a resident a certificate of examination from such physician, as set forth in this section. Any person violating the provisions of this subsection shall be punished by imprisonment in the county jail not less than 30 days nor more than 1 year.

“6. Any county clerk who shall unlawfully issue a license to marry to any person who fails to present and file the certificate provided by subsection 1 of this section, or any party or parties having knowledge of any matter relating or pertaining to the examination of any applicant for license to marry, who shall disclose the same, or any portion thereof, except as may be required by law, shall, upon proof thereof, be guilty of a felony, and shall be punished by imprisonment in the State prison not less than one year nor more than five years.

“7. Any physician who shall knowingly and willfully make any false statement in the certificate provided for in subsection 1 of this section shall be guilty of perjury and upon conviction shall be punished as for perjury, and a convic-

tion under this subsection shall revoke the license of such physician to practice in this State."

SEC. 2. All acts or parts of acts inconsistent with the provisions of this act are repealed.

SEC. 3. This act shall take effect on and after January 1, 1914.

Marriage—Degree of Consanguinity—Idiots and Insane Persons. (Chap. 709, Act Aug. 1, 1913.)

SECTION 1. Subsection 1 of section 2330 of the statutes is amended to read:

"SEC. 2330. 1. No marriage shall be contracted while either of the parties has a husband or wife living, nor between persons who are nearer of kin than second cousins, computing by the rule of the civil law, whether of the half or of the whole blood; and no insane person or idiot shall be capable of contracting marriage."

SEC. 2. This act shall take effect and be in force from and after the 1st day January, 1914.

Asexualization of Certain Inmates of State Institutions Authorized. (Chap. 693, Act July 31, 1913.)

SECTION 1. There is added to the statutes a new section to read:

"SEC. 561*m*. The State board of control is hereby authorized to appoint, from time to time, one surgeon and one alienist of recognized ability, whose duty it shall be, in conjunction with the superintendents of the State and county institutions who have charge of criminal, insane, feeble-minded, and epileptic persons, to examine into the mental and physical condition of such persons legally confined in such institutions.

"2. Said board of control shall, at such times as it deems advisable, submit to such experts and to the superintendent of any of said institutions the names of such inmates of said institution whose mental and physical condition they desire examined, and said experts and the superintendent of said institution shall meet, take evidence, and examine into the mental and physical condition of such inmates and report said mental and physical condition to the said State board of control.

"3. If such experts and superintendent unanimously find that procreation is inadvisable, it shall be lawful to perform such operation for the prevention of procreation as shall be decided safest and most effective: *Provided, however,* That the operation shall not be performed except in such cases as are authorized by the said board of control.

"4. Before such operation shall be performed, it shall be the duty of the State board of control to give at least 30 days' notice in writing to the husband or wife, parent or guardian, if the same shall be known, and if unknown, to the person with whom such inmate last resided.

"5. The said experts shall receive as compensation a sum to be fixed by the State board of control, which shall not exceed \$10 per day and expenses, and such experts shall only be paid for the actual number of days consumed in the performance of their duties.

"6. The record taken upon the examination of every such inmate shall be preserved and shall be filed in the office of said board of control at Madison, Wis., and semiannually after the performing of the operation the superintendent of the institution wherein such inmate is legally confined shall report to said board of control the condition of such inmate and the effect of such operation upon such inmate.

"7. The State board of control shall report biennially in its regular biennial report the number of operations performed under the authority of this section and the result of such operations.

"8. There is hereby appropriated out of the State treasury, not otherwise appropriated, a sufficient amount of money to carry into effect the purposes of this section not to exceed \$2,000."

State Board of Health—Powers and Duties of—Health Officers. (Chap. 674, Act July 29, 1913.)

SECTION 1. There are added to the statutes six new sections and two new subsections to read:

"SEC. 1407a-1. 1. The State board of health shall establish the following bureaus, together with such other bureaus as said board may from time to time determine:

"(1) Bureau of vital statistics.

"(2) Bureau of sanitary inspection and sanitary engineering.

"(3) Bureau of tuberculosis and contagious diseases.

"(4) Bureau of public information and education.

"SEC. 1407a-2. 1. The secretary and executive officer of the State board of health shall hereafter be designated and known as the State health officer. All duties, liabilities, authority, powers, and privileges heretofore or hereafter imposed or conferred by law upon the secretary or the executive officer of the State board of health are hereby imposed and conferred upon the State health officer, and all laws relating or referring to the secretary or the executive officer of the State board of health shall apply, relate, or refer to the State health officer so far as such laws are applicable.

"SEC. 1407a-3. 1. The State board of health shall from time to time divide the State into five sanitary districts. They shall appoint for each such district a deputy State health officer. Such deputy State health officers shall possess the same qualifications required of the State health officer. Each deputy State health officer shall hold his office during efficiency and good behavior and may be removed for cause by the State board of health after having been given an opportunity to be heard in his own defense. No deputy State health officer shall during his term of office engage in any occupation which would conflict with the performance of his official duties. Each deputy State health officer shall receive an annual salary to be fixed by the State board of health, but which shall not exceed \$3,000, and shall receive his expenses actually and necessarily incurred in the performance of his official duties.

"2. The deputy State health officer shall have jurisdiction throughout his district; and he shall have the right of entry into any workshop, factory, dairy, creamery, slaughterhouse, or other place of business or employment, when in pursuit of his official duties. The deputy State health officer shall carry out the instructions of the State board of health and shall make such investigations and reports as said State board of health may require. He shall, when required by the State board of health, with the help of local health officers, inspect and report upon the sanitary conditions of streams and sources of public water supplies, schools and schoolhouses, dairies, creameries, slaughterhouses, workshops, and factories, and all places where offensive trade or industries are conducted in his district.

"3. Such deputy State health officer shall also make careful inquiry, when required by the State board of health, as to the effects of the different kinds of employment upon the health of employees and operators, with special reference to tuberculosis and to lead and phosphorous poisoning and other industrial

diseases, and in all such investigations and inquiries he shall have the power to administer oaths in regard to all matters pertaining thereto. He shall respond promptly when called upon for advice or assistance by any board of health or health officer within his jurisdiction, and it shall be his duty, and he is hereby authorized to enforce any public-health statute, or rule or regulation of the State board of health or of any local board of health or health officer within his district, when such local board of health or health officer neglects or refuses to enforce such statute, rule, or regulation, after due notice by him or by the State board of health.

"4. Each deputy State health officer, under the direction of the State board of health and subject to laws, rules, and regulations relating to the public health, shall, in addition to such other duties as are or may be imposed upon him, perform the following duties:

"(1) Keep himself informed as to the work of each local health officer within his district;

"(2) Aid each local health officer within his district in the performance of his duties, and particularly on the appearance of any contagious disease;

"(3) Assist each local health officer within his district in making an annual sanitary survey of the territory within his jurisdiction and in maintaining therein a continuous sanitary supervision;

"(4) Call together the local health officers within his district or any portion of it from time to time for conference upon the authority of the State board of health;

"(5) Adjust questions of jurisdiction arising between local health officers within his district;

"(6) Study the causes of excessive mortality from any disease in any portion of his district;

"(7) Promote efficient registration of marriages, births, deaths, and accidents;

"(8) Inspect from time to time all labor camps within his district, and enforce the regulations of the State board of health in relation thereto;

"(9) Endeavor to enlist the cooperation of all the organizations of physicians within his district in the improvement of the public health therein.

"SEC. 1407a-4. 1. The State board of health shall cooperate with the several educational institutions and the school system of this State in disseminating information to the general public in all matters pertaining to health, and shall use the research facilities of the university for the preservation and improvement of the public health under such rules and regulations as may be agreed upon with the regents of the university, and facilitate the special instruction of students in sanitation, hygiene, and vital statistics in any school or department of the University of Wisconsin in such manner which is not inconsistent with and which does not interfere with the orderly and efficient administration of the public-health work.

"SEC. 1407a-5. 1. Health officers of towns, villages, and cities, in addition to such other duties as are or may be lawfully imposed upon them and subject to the provisions of the public-health laws and the rules and regulations of the State board of health and under the direction of the deputy State health officer of their respective districts, shall perform the following duties:

"2. Make an annual sanitary survey and maintain a continuous sanitary supervision over the territory within their jurisdiction.

"3. Make a sanitary inspection periodically of all school buildings and places of public assemblage, and report thereon to those responsible for the maintenance of such school buildings and places of public assemblage;

"4. Promote the spread of information as to the causes, nature, and prevention of prevalent diseases, and the preservation and improvement of health;

"5. Take such steps as may be necessary to secure prompt and full reports by physicians of communicable diseases, and prompt and full registration of births and deaths;

"6. Enforce within their jurisdiction the provisions of the public-health law and the rules and regulations of the State board of health;

"7. Attend the annual conferences of sanitary officers called by the State board of health, and local conferences within his sanitary district to which he may be summoned by the deputy State health officer or upon the approval of the State board of health.

"Sec. 1407a-6. 1. The State board of health shall have supervision of the health and life of the citizens of the State and possess all powers necessary to fulfill the duties prescribed in the statutes and to bring action in the courts for the enforcement of health laws and health rules. They shall have power to make sanitary inspections and surveys in all parts of the State and, after due notice, to enter upon and inspect private property in regard to the presence of cases of infectious and contagious diseases and to determine the cause and source of disease.

"2. The State board of health shall have power to establish quarantine and to order and execute what is reasonable and necessary for the prevention and suppression of disease; to close schools and churches; forbid public gatherings when deemed necessary to control epidemics; to condemn and abate conditions causative of disease; to regulate and prescribe, by means of rules and regulations, the character and location of plumbing, drainage, water supply, disposal of sewage, garbage, or other waste material; the sanitary condition of streets, alleys, out-houses, cesspools, and all sanitary features connected therewith.

"3. The board shall have power to adopt and enforce rules and regulations governing the duties of all health officers and health boards and any violation of said rules shall be punished by a fine of not less than \$10 nor more than \$100 for each offense. All rules adopted and published in conformity with this section shall bear the seal of the State board of health and be attested by the State health officer. Such rules and regulations shall be published in the official State paper and distributed in pamphlet or leaf form to all health officers and any citizen asking for the same. Such rules and regulations shall not be effective until 30 days after their publication.

"4. All rules and regulations adopted and published by the State board of health, and all orders issued by said board in conformity with law shall be in force and shall be prima facie lawful; and all such orders, rules, and regulations shall be valid and in force, and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose or until altered or revoked by the State board of health. Any member of the State board of health shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses and production of papers, books, documents, and testimony. In case of the failure of any person to comply with any order of the board, or any subpoena lawfully issued, or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the circuit court of any county, or the judge thereof, on application of any member of the State board of health, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

"5. Every witness who shall appear before the board by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record, which shall be audited and paid by the State in

the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers. But no witness subpoenaed at the issuance of parties other than the board shall be entitled to compensation from the State for attendance or travel unless the board shall certify that his testimony was material to the matter investigated. Fees and mileage paid under this section shall be charged to the general appropriation for the State board of health.

"6. The State board of health may, in any investigation, cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in circuit courts.

"7. A full and complete record shall be kept of all proceedings had before the board on any investigation, and all testimony shall be taken down by the stenographer appointed by the board.

"8. The State board of health may employ such clerical and other assistants as are necessary for the proper performance of the work of the board, and they may distribute appropriate powers and duties to the employees of the board not inconsistent with the constitution or the laws of this State.

"9. The board may from time to time employ competent persons to render sanitary service and make or supervise practical and scientific investigations and examinations requiring expert skill and prepare plans and reports relative thereto.

"10. The State health officer may issue warrants to any sheriff, constable, or policeman to apprehend and arrest such persons who disobey the quarantine orders or other rules and regulations of the board. Each warrant shall be forthwith executed by the officer to whom directed, who shall make due return of the execution thereof to the State health officer.

"11. If the owner or occupant of any premises whereon any nuisance detrimental to the public health exists fails to comply with any order of the board for the abatement or removal thereof, any member of the board, their agents or employees, may enter upon the premises to which such order relates and abate or remove such nuisance. The expense of such abatement or removal shall be paid by the owner or occupant of such premises or by the person who caused or maintained such nuisance and such expense shall be a lien upon the lands upon which the nuisance was maintained.

"12. Nothing in sections 1407a-1 to 1407a-6, inclusive, shall be construed to empower or authorize the board of health or its representative to interfere in any manner with the individual's right to select the physician or mode of treatment of his choice.

"SEC. 172-27. 5. There is annually appropriated on July 1, \$40,000, payable from any moneys in the general fund not otherwise appropriated, to the State board of health to carry into effect the powers, duties, and functions provided by law for said board. The appropriation shall be in addition to other appropriations provided in this section for said board.

"6. All moneys collected or received by each and every person for or in behalf of the State board of health and vital statistics shall be paid within one week of receipt into the general fund of the State treasury. All such deposits shall be for State account generally, except where by law such deposits are expressly appropriated for said board."

Health Officers—State Conference of. (Chap. 193, Act May 9, 1913.)

SECTION 1. Section 1416-19 of the statutes is amended to read:

"SEC. 1416-19. It shall be the duty of the health officer or a representative of any local board of health to attend a local conference called by the secretary of the State board of health, when required to do so by the latter, for

consultation or conference concerning the restriction and prevention of contagious and infectious diseases or for the consideration of any other important sanitary matters affecting their respective districts; and the expenses of the health officer or representative shall be certified by the board appointing him and paid out of the general funds of the city, incorporated village, or town where such board is established: *Provided*, That no board of health shall be required or authorized to send a health officer or representative to more than one conference in any one year. No local conference shall be authorized under the provisions of sections 1416-15 to 1416-19, inclusive, except in cases where dangerous, contagious, or infectious diseases are present in the district or when other conditions dangerous to the life and health of the people are found to exist. The secretary of the State board of health may provide biennially for a State conference of health officers and health commissioners of cities, incorporated villages, and townships to be held at such time and place as the State board of health may determine, the expense of the health officer or health commissioner in attending such conference to be paid by the town, incorporated village, or city, upon the certification of the secretary of the State board of health."

Local Boards of Health—Organization, Powers, and Duties. (Chap. 354, Act May 31, 1913.)

SECTION 1. Section 1411 of the statutes is amended to read:

"SEC. 1411. 1. The town board, village board, and common council of every town, village, and city, except in cities of the first class, shall, within 30 days after each annual election, organize as a board of health or appoint wholly or partially from its own members a suitable number of competent persons who shall organize as a board of health for such town, village, or city. The health officer when appointed shall hold office for two years and until his successor has been elected and qualifies.

"2. In case the town board, village board, or common council fails or neglects to appoint a board of health as provided by this section, the State board of health may appoint persons to serve on such board until a board of health has been regularly appointed as hereinbefore provided, and the necessary expense so incurred shall be charged to and paid out of the treasury of such town, incorporated village, or city.

"3. Whenever any health officer appointed under the provisions of this section, or elected as provided for by the general charter law or special charter laws, shall neglect or refuse to perform the duties of his office and assist the State board of health in the enforcement of the public health laws of the State, it shall be the duty of the town board, village board, or common council, either upon its own initiative or upon the recommendation of the State board of health, to discharge such official and immediately appoint a new health officer.

"4. The officers of such board shall include a chairman, a clerk, and a health officer, who shall be ex officio a member of such board and its executive officer; all such officers shall be elected by the board immediately after its organization. Every board of health as thus constituted shall exercise all the powers and perform all the duties prescribed in this chapter within the limits of the town, village, or city of which they are such officers. Every health officer so appointed shall be, whenever practicable, a reputable physician; he shall hold office during the pleasure of such board and until the qualification of his successor; if a vacancy occurs in his office, the board of health shall immediately fill the same by an election. The foregoing provisions shall not apply to any city or village in which a board of health and a health officer are

provided for by the charter thereof; but every such board, whether organized under the provisions of this section or otherwise, shall immediately after each annual or other organization report to the secretary of the State board of health the names, post-office addresses, and occupations of the officers thereof, and make such report whenever a new health officer is chosen. Every board of health shall take such measures and make such rules and regulations as they may deem most effectual for the preservation of the public health. To provide for the control of diphtheria and other contagious diseases, the local board of health shall furnish antitoxin free to all indigent persons suffering from such diseases, in such manner as the State board of health may direct. They may appoint as many persons to aid them in the execution of their powers and duties as they think proper, regulate the fees and charges of every person so employed by them, and fix the salary of the health officer, examine into all nuisances, sources of filth, and causes of sickness, and make such rules and regulations respecting the same as they may judge necessary for the public health and safety of the inhabitants."

Pharmaceutical Experiment Station—Establishment of. (Chap. 404, Act June 5, 1913.)

SECTION 1. There is added to the statutes a new section, and to section 172-53, a new subsection of the statutes, to read:

"SEC. 3923*m*-12. The board of regents of the State university are authorized and directed to establish, equip, and maintain in the department of pharmacy of the State university a pharmaceutical experiment station. The duties of the said station shall be:

"(1) To cooperate with the bureau of plant industry of the department of agriculture in the maintenance of the northern station for the cultivation of medicinal plants and to disseminate such information as may lead to the proper cultivation of medicinal plants and the production of high-grade vegetable drugs in this State; and

"(2) To serve the public at large by cooperation with both pharmacists and physicians in securing for the sick the best medicines that pharmaceutical science and art can provide, and further by cooperation with the State board of pharmacy, the State board of health, and the dairy and food commission to bring about these results.

"SEC. 172-53. 2. There is annually appropriated, on July 1, \$2,500, payable from any moneys in the general fund, not otherwise appropriated, to the regents of the university for the department of pharmacy to carry out the provisions of section 3923*m*-12."

Slaughterhouses—Location of and Disposal of Refuse from. (Chap. 455, Act June 9, 1913.)

SECTION 1. Section 1418 of the statutes is amended to read:

"SEC. 1418. No person shall erect, maintain, or keep any slaughterhouse upon the bank of any river, running stream, or creek; or throw, or deposit therein, any dead animal, or any part thereof, or any of the carcass or offal therefrom; nor throw or deposit the same into or upon the banks of any river, stream, or creek, which shall flow through any city, village, or organized town, containing 200 or more inhabitants; or erect, maintain, or use any building for a slaughterhouse, except such buildings as are or shall be placed under Federal inspection, at any place within one-eighth of a mile of any public highway, dwelling house, or a building occupied as a place of business; and every person who shall violate any of the provisions of this section shall be

deemed guilty of a misdemeanor, and upon conviction thereof shall be punished for each such violation by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail not exceeding six months; and the mayor of the city, president of the village, and the chairman of the town in which any such slaughterhouse is located shall have power to and shall cause the same to be immediately removed; and every such officer who shall knowingly permit any slaughterhouse to be used or maintained contrary to the provisions of this section shall forfeit not less than \$15 nor more than \$50. In any county containing a population of 100,000 or over, all the provisions of this section relating to slaughterhouses shall apply to all establishments and manufactories in which dead animals, or any part thereof, or of the carcass or offal therefrom, are collected and converted into marketable products."

Slaughterhouses—Inspection and Supervision of. (Chap. 583, Act June 27, 1913.)

SECTION 1. There is added to the statutes a new section, to read:

"SEC. 1492*ea*. 1. All slaughterhouses in this State not subject to inspection and supervision by the United States Government and by officers and persons in its employ shall be inspected and supervised by the State board of health, and it shall be the duty of said board to inspect or to cause each such slaughterhouse in the State to be inspected at least once each year. The health officer of any township, incorporated village, or city in which a slaughterhouse is located shall, upon complaint or upon the request of the State board of health, make such inspection of slaughterhouses as may be required to keep them in a sanitary condition. Any violations of the rules and regulations adopted by the State board of health for the sanitary care and construction of slaughterhouses shall be promptly reported by the local health officer to the State board of health in such manner as the State board of health may determine in its rules and regulations.

"2. The State board of health shall have authority and it shall be its duty to enforce all laws of the State relating to slaughterhouses, and the board shall have power to make and enforce necessary rules and regulations relating to construction and operation so as to prevent insanitary or other conditions inimical to the public health in or about slaughterhouses subject to such inspection and supervision, and the board may, upon its own motion or upon written complaint, inspect and examine any such slaughterhouse, and if it shall find that the same is being operated in an insanitary manner or that the same is so located, constructed, drained, ventilated, or maintained as to be dangerous or inimical to the public health the State board of health shall make such order or orders as may be necessary to properly rectify and remedy any such method or manner of operation or any such condition so as to protect the public health. Such order shall specify the time within which the same shall be complied with, and shall be delivered in person or by registered mail to the person to whom the same is directed. The rules and regulations adopted by the State board of health in conformity with this section shall be published in the official State paper, and when so published they shall have the force of law.

"3. The State board of health or its duly authorized representative or agent has the right to at any time enter any slaughterhouse and to go upon any premises connected therewith for the purpose of inspecting the same.

"4. It shall be the duty of any person, firm, or corporation owning any building which is used or operated as a slaughterhouse in this State at the time this section goes into effect, and which is not subject to Federal inspection, or if such owner is a nonresident of the State, then of the person, firm, or corporation

operating any such slaughterhouse, to report to the State board of health in writing, on or before August 1, 1913, describing the location and construction of such building so used or operated; and the location and construction of all buildings hereafter used or operated as a slaughterhouse, which have not already been reported to the State board of health and which are not subject to Federal inspection, shall be reported to said board of health within ten days after the same is first used or operated as a slaughterhouse. Such report shall be made by the owner of such building, if a resident of this State, and if not, then by the person, firm, or corporation operating the same as a slaughterhouse.

"5. The owner, operator, or person in charge of any slaughterhouse in the State of Wisconsin, upon whom an order shall have been served by the State board of health as herein provided, may appeal from such order and shall be granted a hearing before such board at its next regular meeting, provided such appeal is made in writing and is filed with one of the members of such board or with its secretary. The State board of health shall have power to affirm, repeal, or alter such orders, and each member thereof or the secretary may for the purposes of any such hearing administer oaths and take testimony and subpoena and compel the attendance of witnesses in the manner provided in section 2394-61 of the statutes, and all witnesses shall be paid as provided in section 2394-62 and shall be subject to said section of the statutes.

"6. Any person who shall prevent or attempt to prevent the State board of health, their duly authorized representative or agent, or the local health officer from entering any slaughterhouse or from going upon any premises connected therewith for the purpose of inspecting the same; or any person who shall fail to comply with any order or the rules of the State board of health, made and served as provided in this section, and within the time specified in such order; or any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment in the county jail for not less than five days nor more than six months.

"7. It shall be the duty of the district attorney of each county in the State to prosecute any and all persons for violation of this section or of any order or the rules of the State board of health, and to fully cooperate with the State board of health in the enforcement of all laws relating to slaughterhouses."

Water Supplies—Investigation Authorized. (Chap. 568, Act June 27, 1913.)

SECTION 1. The State board of health is authorized to act with the United States Geological Survey in determining the sanitary and other conditions and nature of the natural water supplies of the State of Wisconsin, such water survey to have for its objects—

(a) To determine the nature and condition of the unpolluted natural water supplies of the State;

(b) To determine to what extent the natural waters are being contaminated by sewage from cities;

(c) To determine to what extent the natural waters are being polluted by industrial wastes, such as come from glucose factories, creameries, and such other sources which produce pollution, and in what way these wastes might be utilized for beneficial purposes;

(d) To investigate water-borne diseases and assist in determining the best source of water supplies.

SEC. 2. The State board of health is hereby empowered and instructed to make such rules and regulations in conjunction with the United States Geological Department as may be necessary to carry into effect the provisions of this act.

SEC. 3. There is added to the statutes a new subsection to read:

"SEC. 172-27. 3. There is appropriated on July 1, 1913, \$3,000, payable from any moneys in the general fund, not otherwise appropriated, for the State board of health for the purpose of making a water survey as required by this act: *Provided*, That an equal sum can be obtained by and through the department of the United States Geological Survey for this work."

Habit-Forming Drugs—Sale and Care of. (Chap. 234, Act May 15, 1913.)

SECTION 1. Subsections 1 and 10 of section 1419 of the statutes are amended to read:

"SEC. 1419. 1. No person, copartnership, or corporation shall sell, furnish, or deliver to another person any opium, morphine, heroin, alpha or beta eucaine, chloral hydrate or any salt or combination of the same, or any mixture, preparation, or compound containing more than 2 grains of opium, one-fourth grain of morphine or heroin, one-eighth grain of alpha or beta eucaine, or 10 grains of chloral hydrate in 1 fluid ounce, or if a dry preparation, in 1 avoirdupois ounce, or any cocaine, or any combination or mixture, preparation, or compound containing cocaine, except upon the original order or prescription of a lawfully authorized practitioner of medicine, dentistry, or veterinary medicine, for a person or animal under his care or treatment. Such prescription shall contain the signature of the prescriber and the name of the person for whom prescribed, and if a veterinary prescription, it shall also state the kind of animal for which it is ordered. It shall be dated and kept on file by the person, copartnership, or corporation dispensing the articles ordered or prescribed, and shall not be again compounded or dispensed, except upon an order from the prescriber.

"SEC. 1419. 10. Except as may be otherwise authorized by law, no person shall throw, cast, deposit, drop, scatter, or leave, or cause to be thrown, cast, deposited, dropped, scattered, or left, any drug, medicine, or chemical, or any compound or combination thereof, upon any public highway or place, or, without the consent of the owner or occupant thereof, upon any premises in the State of Wisconsin.

"11. Any person who shall violate any of the provisions of this section shall, except as provided in subsection 12 hereof, be deemed guilty of a misdemeanor, and upon conviction for the first offense shall be fined not less than \$5 nor more than \$50, and upon conviction for a second offense shall be fined not less than \$50 nor more than \$100, and upon conviction for a third offense shall be fined not less than \$100 nor more than \$200, and shall be imprisoned in the county jail for not more than six months; and if a licensed pharmacist, physician, dentist, or veterinary practitioner, his license shall be revoked. It shall be the duty of the board of pharmacy to cause the prosecution of all persons violating the provisions of this section."

SEC. 2. There are added to section 1419 of the statutes two new subsections to read:

"SEC. 1419. 1a. It shall be unlawful for any person, firm, or corporation to have or keep in his, their, or its store or possession more than 2 ounces of cocaine at any one time.

"SEC. 1419. 12. Any person who shall violate any of the provisions of subsections 1, 1a, and 3 of this section relating to cocaine, or any mixture, combination, or solution containing cocaine, shall be punished by a fine of not less than \$200 nor more than \$1,000, or by imprisonment at hard labor in the State prison not less than one year nor more than five years."

Common Drinking Cups—Prohibited in Public Places. (Chap. 158, Act May 3, 1913.)

SECTION 1. There is added to the statutes a new section to read:

"SEC. 1418 $\frac{1}{2}$. 1. It shall be unlawful for any person, firm, or corporation to furnish or to permit the use of the common drinking cup on railroad trains, in railroad stations, in any State or other public building, on the streets or in public parks, in the public, parochial, or private schools, or in other educational institutions, in hotels and lodging houses, theaters, department stores, barber shops, or in such other places or buildings in the State as the State board of health may find the use therein of the common drinking cup to be inimical to the public health.

"2. Any person, firm, or corporation, owning or having the management or control of such railroads, buildings, schools or educational institutions, or of such places or buildings in which the State board of health may find the use of the common drinking cup to be inimical to the public health, as provided in this section, violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than \$10 nor more than \$50."

Individual Drinking Cups—Required on Railroad Trains. (Chap. 750, Act Aug. 4, 1913.)

SECTION 1. There is added to the statutes a new section to read:

"SEC. 1416-13m. 1. No railroad car in which any passenger is permitted to ride for more than 10 miles of continuous passage in one general direction shall be operated unless there is provided for every passenger therein, at all times during such operation, opportunity to obtain a paper drinking cup not theretofore used by any person, free of charge.

"2. Every day or part of a day within which any such car is operated without affording such opportunity shall constitute a separate offense.

"3. Any person, copartnership, or corporation owning, operating, superintending, or managing any such car, or any person in charge of any such car, who shall be found guilty of failure to comply with the provisions of this section shall forfeit not less than \$25 nor more than \$100.

"4. Nothing herein contained shall interfere with the validity or enforcement of any rules or requirements of the State board of health."

SEC. 2. This act shall take effect and be in force from and after January 1, 1914.

Common Towels—Prohibited in Hotels and Other Places. (Chap. 44, Act Apr. 5 1913.)

SECTION 1. Subsection 1 of section 1727m of the statutes is amended to read:

"SEC. 1727m. 1. All towels for the use of guests in any hotel, whether in their private rooms or the public wash room, and all towels in such places or buildings, whether publicly or privately owned, as the State board of public health may find the use of the common towel therein to be inimical to the public health, shall be individual towels and when used and discarded by the individual shall not be again used until thoroughly washed and dried."

Hotels and Restaurants—Regulation of, by State Board of Health. (Chap. 648, Act July 24, 1913.)

SECTION 1. There is added to the statutes a new section and a new subsection to read:

"SEC. 1408m-10. 1. The following terms as used in this section shall be construed as follows:

" (a) The term 'hotel' shall mean and embrace all buildings or other structures kept, used, and maintained as places wherein sleeping accommodations are offered for pay to transient guests with or without meals in which five or more rooms are used for the accommodation of such transient guests, and shall also mean and embrace all buildings or places used in connection therewith.

" (b) The term 'restaurant' as used herein shall mean and embrace all buildings or other structures kept, used, and maintained as places wherein meals and lunches are served without sleeping accommodations for transient guests, together with all buildings or places used in connection therewith.

" (c) The term 'public health and safety' as used herein shall be construed to mean the highest degree of protection against infection, contagion, and disease that a hotel or restaurant will reasonably permit.

" 2. On or before January 1, 1914, and each year thereafter, every person, firm, or corporation now engaged in the business of conducting a hotel or restaurant, or both, and every person, firm, or corporation who shall hereafter engage in conducting such business, shall procure a permit from the State board of health for each hotel or restaurant so conducted or proposed to be conducted; provided that one permit shall be sufficient for each combined hotel and restaurant where both are conducted in the same building and under the same management. Each permit shall expire on the 31st day of December next following the issuance. No hotel or restaurant shall be advertised or held out to the public as such or be maintained and conducted in this State, after the taking effect of this act, without a permit therefor; and no permit shall be transferable.

" 3. The annual fee for a permit to conduct a hotel or restaurant in this State shall be \$2; provided, that for hotels containing more than 30 sleeping rooms used for transient guests, the fee shall be \$3. All such fees shall be paid to the secretary of the State board of health before said permit is issued, and the secretary of the said board shall, weekly, pay into the State treasury all fees collected for permits issued during the preceding week.

" 4. The board of health shall, upon request therefor, furnish to any person, firm, or corporation desiring to conduct a hotel or restaurant, the necessary application blank for a permit which the applicant shall fill in, stating the full name and address of the owner or lessee of the building, or both, the lessee and manager of such hotel or restaurant, together with a full description of the building and property to be used or proposed to be used for such business and stating the location of the same and such other information as the State board of health may require. Such application, upon its return to the State board of health, shall be accompanied by the permit fee herein required.

" 5. It shall be the duty of every person, firm, or corporation owning, managing, controlling, or maintaining any hotel or restaurant in this State to conduct and maintain the same with a strict regard to the public health and safety, and it shall be unlawful for any person, firm, or corporation owning, managing, or maintaining any such hotel or restaurant to conduct or maintain the same in violation of the provisions of this section or in violation of any rule, regulation, or order made or adopted by the State board of health, as herein provided.

" 6. It shall be the duty of the State board of health, and it shall have power, jurisdiction, and authority, in addition to other powers and duties conferred upon it by law:

" (a) To engage or appoint such assistants or inspectors as may be needed in carrying out the provisions of this section, and such inspectors or appointees shall possess such qualifications as the State board of health may determine

are necessary to successfully carry on the work, to fix their compensation, and to assign to them their duties;

"(b) To administer and enforce the laws relating to the public health and safety and sanitation in hotels and restaurants;

"(c) To investigate, ascertain, declare, and prescribe what alterations, improvements, or other means or methods are reasonably necessary for the protection of the public health and safety in hotels and restaurants;

"(d) To ascertain and fix such reasonable standards and to prescribe, modify, and enforce such reasonable orders for the adoption of improvements and other means or methods, to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful orders relative to the protection of the public health and safety in hotels and restaurants;

"(e) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities to carry out the provisions of this section and proper rules to govern its proceedings and to regulate the mode and manner of all investigations, inspections, and hearings; such rules and regulations shall not be effective until 10 days after their publication. A copy of such rules and regulations shall be delivered to every citizen making application therefor.

"7. Any person, firm, or corporation in interest, being dissatisfied with any order of the State board of health, may commence an action in the circuit court for Dane County against the commission, as defendant, to vacate and set aside any such order on the ground that the order is unlawful or that any such order is unreasonable, in which action the complaint shall be served with the summons. The procedure to review orders of the board and for the reconsideration of matters not fully heard by the board, as provided and prescribed in sections 2394-68 and 2394-69, shall, so far as applicable, govern in such action or proceedings.

"8. All orders of the State board of health in carrying out the provisions of this section in conformity with law shall be in force and shall be prima facie lawful; and all such orders shall be valid and in force and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose, pursuant to the provisions of subsection 7 of this section, or until altered or revoked by the board.

"9. Any person, firm, or corporation owning, leasing, managing, or conducting any hotel or restaurant in violation of any of the provisions of this section or in violation of any rule or regulation of the State board of health shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$200; and any person, firm, or corporation conducting a hotel or restaurant in violation of any order of the State board of health, after such order shall have been served upon or directed to such person, firm, or corporation, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall forfeit \$5 for each and every day of such noncompliance with such order: *Provided*, That if any action to modify or set aside such order shall have been commenced pursuant to subsection 7 of this section, such forfeiture shall not be exacted or commence to run until after the lapse of a reasonable time after the termination of said proceeding.

"10. All fees paid to the State board of health as herein provided shall be paid into the general fund, and shall be credited to the appropriation account provided by law for the State board of health.

"11. Nothing contained in this section shall be construed to affect the authority of the industrial commission relative to places of employment or the adoption and enforcement of rules relative to elevators, boilers, fire escapes, fire protection, or the construction of public buildings. The State board of

health and the industrial commission may employ jointly experts, inspectors, or other assistants.

"SEC. 172-27. 4. All fees received by the State board of health under section 1408m-10 shall be paid into the general fund of the State treasury within one week of receipt, and all such deposits are appropriated for the State board of health to carry into effect the provisions of section 1408m-10."

School Buildings—Condemnation of, When Insanitary or Unsafe. (Chap. 30, Act, Mar. 28, 1913.)

SECTION 1. A new section is added to the statutes to read:

"SEC. 517. 1. The inspector of rural schools, the inspectors of State graded schools, and the inspector of high schools of the State, in addition to their other duties, are hereby made inspectors of public-school buildings. Said inspectors shall act under the direction of the State superintendent, and under such regulations as may be established by him.

"2. Whenever any county or district superintendent, city superintendent, member of a school board or board of education, or any voter of a school district, or a member of a board of health, shall make a complaint in writing to the State superintendent that any building used for or in connection with any public school in his county, district, city, village, or town, as the case may be, is in an insanitary condition, or that the conditions are such as to endanger the life and health of the children attending school, or that the schoolhouse is unfit for school purposes, one of said inspectors designated by the State superintendent shall personally investigate and examine the premises and buildings concerning which said complaint is made.

"3. Upon such investigation and examination said inspector shall, if conditions warrant it, make an order directing the school board, the board of education, or other officer or officers having control of the school district or school corporation, to repair and improve such building or buildings as may be necessary, and to place said buildings in a safe and sanitary condition; or if said inspector shall deem the schoolhouse unfit for school purposes and not worth repairing he shall state said fact and recite the reason therefor.

"4. The said inspector shall file said order in the State superintendent's office, and cause true copies thereof to be delivered, by mail or otherwise, to the clerk of the district board, the clerk of the board of education of the district or school corporation where such schoolhouse and premises are located, and shall deliver as provided herein copies of said order to the proper county, district, or city superintendent, and also the clerk of the town, city, or village in which the schoolhouse is located.

"5. The said order shall state the time in which it shall be complied with, and shall take effect from its date, and shall continue in force and full effect until reversed. The decision of the inspector may be appealed from to the State superintendent in the time and manner now provided for taking appeals to said superintendent, and the decision appealed from shall be stayed pending such appeal.

"6. Whenever any school district, school corporation, school board, or board of education shall refuse to comply with the order of said inspector within the time herein specified, such school district or school corporation shall forfeit absolutely its apportionment of the fund derived from the seven-tenths mill tax, provided for in section 1072a of the statutes, and amendments thereto, and shall continue to so forfeit its regular apportionment of such fund until there is full compliance with the requirements of said order, unless the electors of said school district shall vote to instruct the school board to close the district

school and provide transportation and tuition for all children of school age in the district desiring to attend school at some neighboring school or schools, as provided for in section 496*q* of the statutes.

"7. Nothing in this section shall be deemed to interfere with the operation of the provision of subsection 3 of section 461 of the statutes, relating to the duties of county superintendents of schools, or with the provisions of section 1418*b* of the statutes, relating to the inspection and regulation of the sanitary conditions of schoolhouses by boards of health."

SEC. 2. All acts, orders, and decisions rendered under the provisions of and made since the passage and publication of sections 524*m*-1, 524*m*-2, 524*m*-3, 524*m*-4, 524*m*-5, 524*m*-6, and 524*m*-7 of chapter 550, laws of 1909, are legalized and validated.

Sweeping of Public Places—Regulations for. (Chap. 274, Act May 20, 1913.)

SECTION 1. There is added to the statutes a new section to read:

"SEC. 1418*w*. 1. It shall be unlawful for any person, firm, or corporation to sweep, or permit the sweeping, except when vacuum cleaners or properly filled reservoir dustless brushes are used, of floors in railroad stations, in passenger cars, in any State or public building, in the public, parochial, or private schools, or in other educational institutions, in hotels, department stores, where the public are invited, unless the floor is first sprinkled with water, moist sawdust, or other substance so as to prevent the raising of dust.

"2. Any person, firm, or corporation owning, or having the management or control of such railroad stations, State or public buildings, public, parochial, or private schools, hotels, department stores, where the public are invited, who violates any of the provisions of this section, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$10 nor more than \$50."

Embalmers—Examination and Licensing of. (Chap. 51, Act Apr. 7, 1913.)

SECTION 1. Section 1409-1 of the statutes is amended to read:

"SEC. 1409-1. The State board of health is hereby authorized and empowered to determine the qualifications necessary to enable any person to properly embalm dead human bodies and disinfect the premises. The said board, or some member thereof, shall examine all applicants for an embalmer's license and shall issue an embalmer's license to all persons who successfully pass such examination. No person shall embalm any dead human body unless he or she shall hold a valid, unrevoked, and unexpired license from the Wisconsin State Board of Health authorizing him to practice the art of embalming. It shall be unlawful for any person not a licensed embalmer as herein provided to advertise, practice, or pretend to practice the art of embalming by either arterial or cavity treatment."

Plumbers—Licensing and Supervision of, by State Board of Health. (Chap. 731, Act Aug. 2, 1913.)

SECTION 1. Sections 959-53, 959-54, 959-55, 959-56, 959-59, and 959-59*m* of the statutes are repealed.

SEC. 2. There are added to the statutes six new sections and a new subsection, to read:

"SEC. 959-53. 1. (a) A journeyman plumber is hereby defined to be any person other than a master plumber who, as his principal occupation, is engaged in the practical installation of plumbing.

"(b) A master plumber is hereby defined to be any person skilled in the planning, superintending, and the practical installation of plumbing, and familiar with the laws, rules, and regulations governing the same.

"(c) A plumbing contractor is hereby defined to be any person, firm, or corporation engaged in the business of installing plumbing in connection with the dealing in and selling of plumbing materials and supplies.

"2. In any city of this State, except cities of the fourth class having a population of 5,000 or less, no person shall engage in or work at the business of a master plumber or journeyman plumber, and no person, firm, or corporation shall engage in or work at the business of a plumbing contractor, unless licensed so to do by the State board of health in the manner herein provided.

"3. The State board of health is hereby authorized and empowered to grant and issue licenses and permits to master plumbers, journeyman plumbers, and plumbing contractors as hereinafter provided for.

"SEC. 959-54. Any person desiring to engage in or work at the business of a journeyman plumber or master plumber in this State shall apply to the State board of health for a license and be by said board examined as to his fitness for such work either as a journeyman plumber or as a master plumber as the case may be. Any person, firm, or corporation desiring to engage in or work at the business of a plumbing contractor in this State shall apply to the State board of health and be by said board first duly licensed to engage in such work. Every plumbing contractor shall be required at all times to have a licensed master plumber in charge of installing plumbing as a condition for the continuance of his or its license as such.

"SEC. 959-55. 1. The State board of health shall, within 60 days after the passage and publication of this act, appoint, and shall have power to remove, three plumbing examiners, of whom one shall be a master plumber, one shall be a journeyman plumber, and one shall be a member or an employee of the State board of health, to be known as the committee of examiners for the examining of journeyman and master plumbers as to their qualifications and fitness to be entitled to licenses to engage in the work of master plumbers and journeyman plumbers herein provided for. Such examiners shall be exempt from the provisions of sections 990-1 to 990-32 of the statutes. The State board of health shall have power and authority and it shall be its duty to prescribe, amend, and enforce rules and regulations for the examination and licensing of journeyman and master plumbers and the licensing of plumbing contractors consistent with this act.

"2. Each member of said committee of examiners, except a regular employee or the secretary of the State board of health, shall receive a compensation of \$10 per day and expenses for each day in which such member is actually engaged in attendance upon the meetings of the committee, to be audited and paid out of the general fund of the State treasury and charged against the appropriation account of the State board of health to carry into effect the provisions of sections 959-53 to 959-58, inclusive, of the statutes.

"3. The licenses of journeyman and master plumbers provided for in section 959-53 of the statutes shall be issued by the State board of health upon evidences, as shown by the examination, of the fitness of the applicant for the business or practice of a master plumber or a journeyman plumber as the case may be. Plumbing contractors shall be licensed without examination as to qualifications and fitness to engage in the practical installation of plumbing.

"4. The State board of health shall have power to revoke any journeyman or master plumber's license if same was obtained through error or fraud, or if the recipient thereof is shown to be grossly incompetent, and for a second willful violation of any rules and regulations prescribed by the State board of

health. The State board of health shall also have power to revoke any plumbing contractor's license if the owner thereof shall be guilty of a second willful violation of any rule or regulation prescribed by the State board of health: *Provided*, That before any license shall be revoked the holder thereof shall have notice in writing enumerating the charges, and at a specified date named therein, not less than five days after the service of such notice, be given a hearing by said board and have an opportunity to produce testimony in his behalf. The State board of health shall have power to appoint, by an order in writing, its secretary or any competent person to take testimony, who shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses, and the decision of the State board of health shall be based on its examination of all testimony and records. Any person whose license has been revoked may, after the expiration of one year from the date of such revocation, apply for a new license.

"SEC. 959-55a. 1. All persons at the time of the passage and publication of this act engaged in the plumbing business in this State, either as master plumbers or journeymen plumbers or plumbing contractors, shall be, respectively, licensed as such by the State board of health without examination, upon the payment to the State board of health of the license fee hereinafter provided. No person who desires to engage in the business or practice of plumbing, either as a master plumber or a journeyman plumber, after the passage and publication of this act, shall be granted a license until he has passed a satisfactory examination. Before any applicant shall be permitted to take such examination he shall pay to the State board of health the examination fee as herein provided for.

"2. The State board of health shall prescribe and shall have power to amend the rules and regulations governing plumbing, drainage, sewerage, and plumbing ventilation in connection with all buildings in this State, and may prescribe minimum standards, which shall be uniform throughout the State. This act shall not be construed to deny the right to any local governing body having jurisdiction to adopt and enforce additional rules and regulations relating to plumbing, drainage, sewerage, and plumbing ventilation not inconsistent with the provisions of this act or the rules and regulations prescribed by the State board of health. Nothing contained in sections 959-53 to 959-58, inclusive, of the statutes shall be construed to affect the authority of the industrial commission relative to places of employment or public buildings other than hotels, restaurants, rooming houses, and school buildings.

"3. The State board of health is empowered to employ, promote, and remove plumbing inspectors and other assistants as needed, to fix their compensation and assign their duties. Such salaries, compensations, and expenses shall be paid out of the general fund of the State treasury and charged against the appropriation account of the State board of health for carrying out the provisions of sections 959-53 to 959-58, inclusive, of the statutes.

"SEC. 959-55b. 1. All master plumbers engaged in business as such in the State, desiring to continue as such, are hereby required to procure a master plumber's license from the State board of health within 60 days after the passage and publication of this act, the fee for which license is hereby fixed at \$10; such license, unless sooner revoked, to expire on December 31, next after the issuance thereof; but no examination shall be required of such master plumbers making such application for license within the time hereby limited. Commencing January 1, 1914, and annually thereafter on January 1 of each year, a renewal fee of \$5 shall be paid to the State board of health for a renewal of such license by all master plumbers, theretofore licensed, continuing in business as such within this State.

"2. All journeyman plumbers engaged in business as such in this State, desiring to continue in business as such are hereby required to procure a journeyman plumber's license from the State board of health within 60 days after the passage and publication of this act, the fee for which license is hereby fixed at \$2, such license, unless sooner revoked, to expire on December 31, next after the issuance thereof, but no examination shall be required of such journeyman plumbers making such application for license within the time hereby limited. Commencing January 1, 1914, and annually thereafter on January 1 of each year, a renewal fee of \$1 shall be paid to the State board of health for a renewal of such license by all journeyman plumbers, theretofore licensed, continuing in business as such within this State.

"3. All plumbing contractors engaged in business as such in this State, desiring to continue as such, are hereby required to procure a plumbing contractor's license from the State board of health within 60 days after the passage and publication of this act, the fee for which license is hereby fixed at \$40, such license, unless sooner revoked, to expire on December 31, next after the issuance thereof. Commencing January 1, 1914, and annually thereafter on January 1 of each year, a renewal fee of \$20 shall be paid to the State board of health for a renewal of such license by all plumbing contractors, theretofore licensed, continuing in business as such within this State.

"4. All licenses issued during any year, unless sooner revoked, shall expire on December 31 of such year.

"5. A master plumber's license shall entitle the owner thereof to all the rights and privileges of a journeyman plumber.

"6. The fees for any person hereafter desiring to engage in the business of a journeyman plumber or a master plumber in this State, and not licensed within 60 days after the passage and publication of this act, shall be, respectively, \$2 and \$10, and the fee for any person, firm, or corporation hereafter desiring to engage in the business of a plumbing contractor in this State and not licensed within 60 days after the passage and publication of this act shall be \$40.

"7. The State board of health may issue temporary permits to engage in the work of a master plumber or a journeyman plumber on payment of the fees prescribed in this act; such permits may be revoked by the State board of health at any time, and if on examination a license is granted, the fee paid for the permit shall run for the same period as though paid for a license. For the purpose of assisting in its work of issuing such temporary permits, the State board of health may appoint agents without compensation.

"8. Any person working as an apprentice at the business or practice of plumbing, for a reasonable time, desiring to take an examination for a license as a journeyman plumber, may file his application for such examination with the State board of health herein provided, and, upon giving due notice of the filing of such application with said board, may be granted a permit by the State board of health to pursue said work in the capacity of journeyman plumber until such time as said examining board shall have an opportunity to examine him. No journeyman plumber shall engage in business as a master plumber without first having been granted a temporary permit, and may not continue in such business unless thereafter licensed as such by the State board of health as herein provided, the fee for which permit or license is hereby fixed at \$50; and shall thereafter expire and be renewed from year to year in the manner hereinafter provided.

"9. The State board of health may license without examination, upon the payment of the required fee, applicants licensed under the laws of other States having requirements for licensing and regulating plumbing which are deter-

mined by the State board of health to be equivalent to the requirements of this State.

"SEC. 959-56. 1. Any person who shall engage in the work of a master or a journeyman plumber for compensation without a permit or a license as provided in sections 959-53 to 959-56, inclusive, of the statutes, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than \$10 nor exceeding \$50 or imprisonment in the county jail not exceeding 30 days for each and every violation thereof. Each day of such violation shall constitute a separate offense.

"2. Any person who shall violate any of the provisions of sections 959-53 to 959-56 of the statutes, inclusive, or shall do any act prohibited in sections 959-53 to 959-56, inclusive, or shall fail or refuse to perform any duty lawfully enjoined within the time prescribed by the State board of health, or shall fail, neglect, or refuse to obey any lawful order given or made by the State board of health, or any judgment or decree made by any court in connection with the provisions of sections 959-53 to 959-56, inclusive, for such violation or refusal, shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail not more than three months or by a fine not exceeding \$100.

"SEC. 172-27. 2. All moneys received by the State board of health for the licensing of plumbers shall be paid within one week of their receipt into the general fund of the State treasury, and all such moneys are appropriated to the State board of health to carry into effect the provisions of sections 959-53 to 959-58, inclusive, of the statutes."

SEC. 3. Sections 959-57 and 959-58 of the statutes are amended to read:

"SEC. 959-57. In each city of the first, second, and third class having a system of waterworks or sewerage the board of public work, where such board exists, or the board of health of each such city shall, and cities of the fourth class may, appoint one or more inspectors of plumbing who shall be practical plumbers, and who shall hold office until removed by said board for cause. The compensation of such inspector or inspectors shall be determined by the board appointing them and be paid from the city treasury; they shall inspect all plumbing work in the city for which appointed, whether such work be new or consist of alterations or repairs, and shall report to said board all violations of any law, ordinance, or by-law relating to such work and perform such other appropriate duties as may be required.

"SEC. 959-58. Each city of the first, second, and third class having a system of waterworks or sewerage shall, and cities of the fourth class may, by ordinance or by-law, prescribe rules and regulations for the materials, construction, alteration, and inspection of all pipes, faucets, tanks, valves, and other fixtures by and through which supply or waste water or sewerage is used or carried, and provide that they shall not be placed in any building therein except in accordance with plans which shall be approved by the board of public works, where such board exists, or the board of health of such city, or such person or persons as either of said boards may designate; and shall further provide that no plumbing shall be done, except in case of repairing leaks, without a permit being first issued therefor upon such terms and conditions as such city shall prescribe: *Provided*, That no such ordinance, by-law, rule, or regulation prescribed by any such city shall be inconsistent with this act or any rule or regulation adopted or prescribed by the State board of health: *And provided further*, That no city shall be authorized to or require the licensing of journeyman or master plumbers or plumbing contractors, or prevent any such plumbers or plumbing contractors who are licensed under the provisions of this act from

engaging in or working at the business for which they are respectively licensed in any place in this State."

SEC. 4. All acts or parts of acts in conflict herewith are hereby repealed.

SEC. 5. This act shall take effect and be in force 60 days from and after its passage and publication.

Cemeteries—Location of. (Chap. 120, Act Apr. 28, 1913.)

SECTION 1. Subsection 1 of section 1454 of the statutes is amended to read:

"SEC. 1454. 1. No person, association, or corporation shall lay out or establish any cemetery grounds or use any lot or grounds for burial purposes (except such as are now in use for such purposes) within the limits of any recorded plat of any city or village, or of any recorded addition thereto, when such cemetery, lot, or grounds shall be within 1 mile of any lot or block therein on which any building may then be erected; and no person, association, or corporation shall lay out or establish any cemetery grounds or use any grounds for burial purposes except such as are now in use for such purposes without the limits of such plat or addition thereto and within 200 rods of any inhabited dwelling standing on any lot or block in such city or village or addition thereto, without first obtaining the consent of the municipal authorities thereof; nor within 15 rods of any habitable dwelling, public building, watering place, or schoolhouse, nor within 200 rods of the institutions for the deaf and dumb, for the blind, the hospitals for the insane, the industrial school for boys, the home for the feeble-minded, the State public school, or the State reformatory, without the consent of the State board of control: *Provided*, That an existing cemetery in a village may be extended toward or beyond either of the two nearest village limits upon first obtaining the consent of the village board and of the owners of any dwelling or other building within 15 rods of such addition."

WYOMING.

Quarantine—Penalty for the Breaking of. (Act Feb. 26, 1913.)

SECTION 1. That section 2950 of chapter 192 be amended and reenacted so as to read as follows:

"SEC. 2950. *Breaking of quarantine.*—Any person or persons confined in any quarantine established in this State under the provisions of this chapter who shall escape therefrom or attempt to escape therefrom, without having been dismissed upon the certificate or authority of the county health officer, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$500 or by imprisonment not more than one year in the county jail, or by both such fine and imprisonment."

Births—Reporting of. (Act Feb. 26, 1913.)

SECTION 1. That section 2960 of the Wyoming Compiled Statutes of 1910 is hereby amended and reenacted so as to read as follows:

"SEC. 2960. *Birth certificates.*—It shall be the duty of every physician or midwife attending upon the birth of a child, or in the absence of such physician or midwife, the father, a relative, the householder, or superintendent of the institution in which such birth occurred, within 10 days thereafter, to file with the local registrar of the district in which such birth occurred, a certificate of the same properly made out in ink upon the standard blank, setting forth the true and correct information called for by such standard blank certificate. For each such certificate properly filed the party filing the same shall receive 25 cents, to be paid annually by the county commissioners upon the presentation of a proper claim approved by the State registrar. When necessary a supplemental report of the Christian name of the child can be made by the parent."

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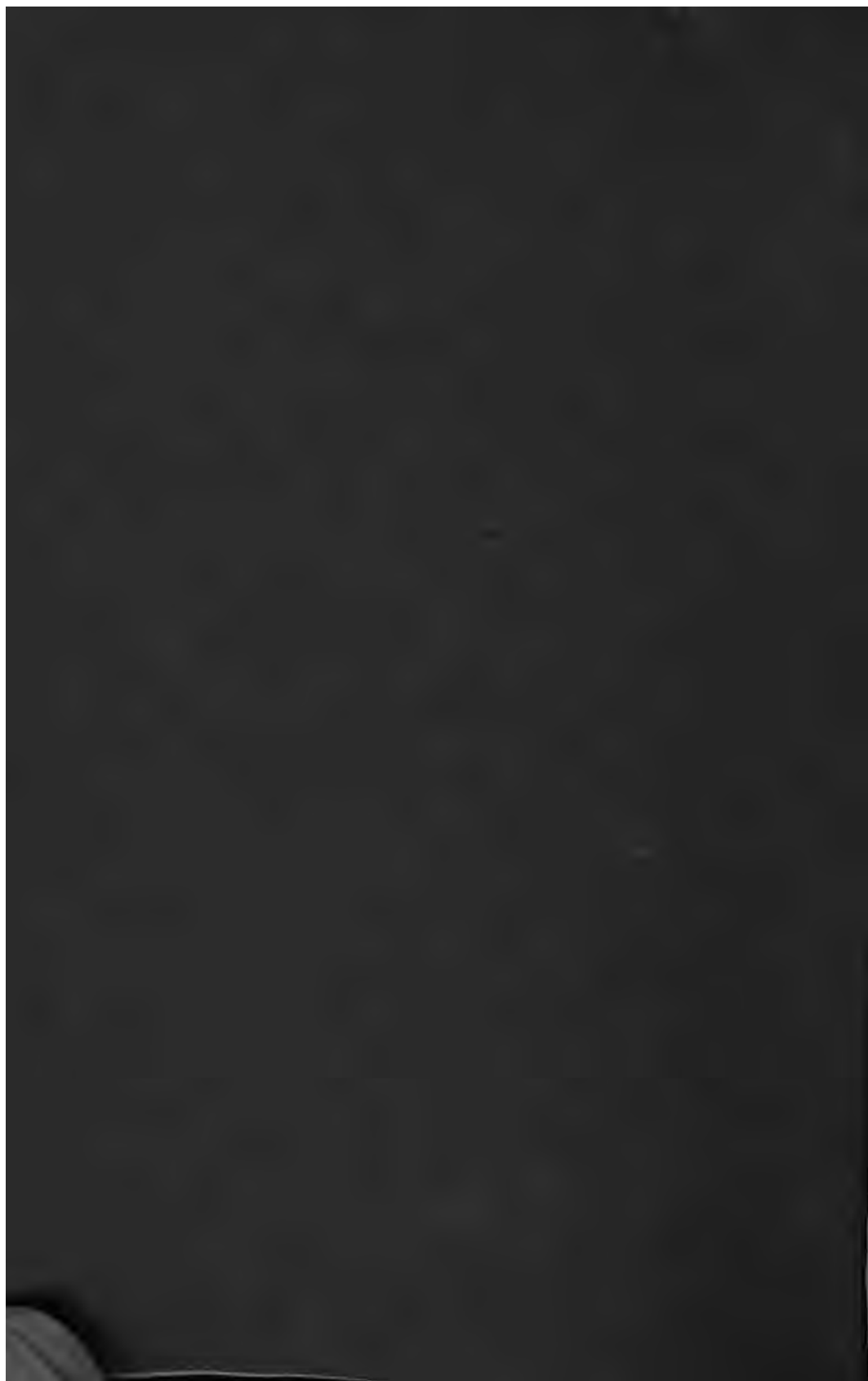
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